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THE NORTH BOMBAY constituency in the third General Election of 1962 evoked national and international interest due to the challenge thrown by a former President of the Indian National Congress, J. B. Kripalani, to the incumbent candidate, V. K. Krishna Menon. Mr Menon is generally a controversial figure ; he became more so in 1962. It was a keenly contested election in which parties were pitched against individuals. Mr Menon was the nominee of the Congress but he was the adopted candidate of the communist of Bombay. Mr Kripalani was 'invited' by a group of citizens to contest against the Defence Minister. Individuals backed him ; they could not match the organizational set for the electioneering skills of the well established parties. It was a marathon struggle with no holds barred.

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MINOR ṚGVEDIC ENEMIES OF INDRA: ŚAMBARA*

By Dr. G. K. Bhat, M.A., Ph.D.

Professor of Sanskrit, Elphinstone College, Bombay

(1)

General Introduction

THIS paper is, in a way, a sequel to my earlier paper on Vala. It continues the inquiry which I am trying to make into some Ṛgvedic concepts and persons associated with Indra.

It is generally understood that the Ṛgvedic Deities represent some Nature phenomenon personified. The original basis of the Ṛgvedic gods is some nature-form on which anthropomorphic features are imposed and to which activites and functions, on the human analogy but on a superhuman level, are attributed. This is, of course, true generally speaking. In some cases the nature-basis is quite transparent; and in other cases, although it may be translucent or somewhat opaque, it can still be perceived. What I am trying to suggest is that in some cases at least a human basis could be quite possible.

This appears to be true particularly in the case of Indra and the Ṛgvedic enemies that are connected with him. The general grounds for such a supposition may be stated as under :

(*i*) There is much that is 'earthy', of this earth, in the Ṛgvedic personality of Indra. No one, I suppose, denies the possibility that the elements of an Aryan hero, a National leader, are mixed in the poetic creation of Indra as a god. And so, the association of human enemies is not impossible with Indra.

(*ii*) There are several human beings, princes and warriors, that are associated with Indra, whom he is supposed to help or for whom he kills their enemies.

(*iii*) Many of the names of the Ṛgvedic enemies of Indra seem to have a double denotation, which comes out by pun or etymological analysis. But this is a facility which the Sanskrit language

*Accepted for Vedic Section, AIOC, Varanasi, October, 1968.

easily affords. We know that almost any proper noun in Sanskrit can yield *double entendre*, as, for example, the names Kālidāsa, Bhavabhūti etc. do. If this is so, such a double reference need not be, in itself, a ground to assume a nature-basis in the case of all names given to Ṛgvedic persons. It could be a corroborative evidence if the nature-basis were independently proved or were quite unambiguous.

(*iv*) The native tradition coming from times as old as those of Yāska mentions the possibility of historical personalities developed into divine figures. The *aitihāsika* school of which Yāska speaks should at least vouch for the possibility of a human basis for some minor associates of a Ṛgvedic god.

On this background of reasoning, an inquiry into Śaṁbara is taken up in this paper.

(2)

Śaṁbara and his killing are mentioned in the RV. in 25 references.

(A) Śaṁbara alone is mentioned in the following 9 *ṛcs* :

I. 112.14 mentions Aśvinā as protecting Divodāsa on the occasion of the slaughter of Śaṁbara.

I. 130.7 mentions the throwing down from a mountain of Śaṁbara for the sake of Divodāsa.

In IV. 26.3 Indra says that he destroyed 99 cities of Śaṁbara and made the hundredth fit for Divodāsa to enter.

In IV. 30.4 Śaṁbara is called the son of Kulitara and Indra is described as hurling him down from a mountain.

VI. 26.3b also tacitly refers to Śaṁbara, as Sāyaṇa explains, whose head Indra cut off.

VI. 26.5 refers to Śaṁbara and his thousand, which are explained to be his followers; Indra killed him as he stepped out of the mountain (*gireḥ—parvatāt nirgatam*).

VI. 43.1 describes Indra as having pierced Saṁbara under the exhilaration of Soma.

VI. 31.4 mentions the hundred cities of Śaṁbara which Indra destroyed during the Soma-offering of Divodāsa and the gift of wealth to Bharadvāja.

VI. 47.22, which is a Dānastuti, mentions the wealth which came to Divodāsa after the killing of Śaṁbara and which he gave as a gift to the poet-priest.

(B) In the other references, which form the majority, Śaṁbara is mentioned along with other enemies killed by Indra ; and in some verses the killing is attributed to other gods :

I.51.6 mentions Śuṣṇa and Arbuda besides Śaṁbara.

I.54.4 mentions Vrandinaḥ, which Sāyaṇa takes to mean 'enemies' in general who were 'softened' by Indra, or as referring to a 'group of asuras'.

I.59.6 links Śaṁbara with Vṛtra.

I.102.2 refers to several enemies, Vyaṁsa, Pipru, Śuṣṇa, Aśuṣa.

I.103.8 again mentions Śuṣṇa, Pipru, Kuvaya, Vṛtra, along with Śaṁbara (Sāyaṇa describes these as four asuras).

I.112.14 links the protection given to Divodāsa in Śaṁbara's killing with that of Trasadasyu, and attributes the deed to Aśvinā.

II.12.11 mentions Ahi, the Dragon, also.

II.14.6 mentions Varcin.

II. 19.6 mentions Śuṣṇa, Aśuṣa, Kuyava, who were pierced for the sake of Kutsa, as Śaṁbara's 99 cities were torn for the benefit of Divodāsa.

II. 24.2 describes the humbling down of enemies (*nantvā*), and the tearing of the cities of Saṁbara ; but the feat is attributed to Brahmaṇaspati.

III.47.4 links Śaṁbara with the slaughter of Ahi ; the assistance of Maruts is particularly praised.

VI. 18.8 has Cumuri, Dhuni, Pipru along with Śaṁbara.

VI.31.4 mentions the destruction of the hundred cities of Śaṁbara for Divodāsa who pressed the Soma for Indra and offered wealth to Bharadvāja.

VI. 47.2 refers to *Vṛtra-hatyā* and also the destruction of Śaṁbara's cities ; these are attributed to Soma.

VI. 47.21 mentions Śaṁbara along with Varcin; and the place of killing is given as Udavraja.

VII. 18.20 mentions the piercing of Śaṁbara along with the killing of Devaka, who is described as the son of Manyamāna, and an enemy (Sāyaṇa).

VII. 99.5 refers to the shattering of the 99 cities of Śaṁbara along with the killing of a thousand (host) of Varcin; the feat is now attributed jointly to Indra and Viṣṇu.

IX. 61.2 attributes the humbling of Śaṁbara and of Turvaśa and Yadu, for the sake of Divodāsa, to Soma.

(C) The other Saṁhitā references do not add anything more to the information about Saṁbara from the RV.

Sāmaveda, I. 392 mentions the inspiring influence of Soma under which Indra pierced Śaṁbara; it is a repetition of RV. VI. 43.1.

Atharvaveda has three references to Śaṁbara: AV. XX. 34.11 is a repetition of RV. II. 12.11; AV. XX. 34.12 is an imitation of the Sajanīya Sūkta (RV. II.12) and mentions Indra as having 'crossed' Śaṁbara, and refers to a place 'inside the mountain'; AV. XX. 34.17 is a similar imitation of RV. II.12, and here the killing of Saṁbara is mentioned along with that of Śuṣṇa.

Taittirīya Saṁhitā, 3/2/11—3 is a repetition of RV. VII. 99.5, where Indra and Viṣṇu are credited with the destruction of Śaṁbara's 99 cities, and that of a host of a thousand of Varcin.

Maitrāyaṇī Saṁhitā, 4/12/5/128 is identical with the above; MS. 4/14/7/95 is an enumeration of several killings; Vṛtra, Vyaṁsa, Śuṣṇa and Śaṁbara are mentioned together; the Saṁhitā author praises Indra for these killings and regards him as 'mother and father'.

Vājasaneyī (Mādhyandina) Saṁhitā, 33.63 is identical with RV. III.47.4 and refers to Soma which is offered, and to the Maruts who encouraged Indra in *Ahi-hatyā*, as in the search for cows and in Śaṁbara-*hatyā*.

Taittirīya Āraṇyaka, V. 2. 5 refers to the excitement (*mada*) of Soma and to Śaṁbara.

Śāṅkhāyana Śrauta Sūtra, 8-16-1, refers to Śaṁbara-*hatyā* and to search for cows (*gaviṣṭi*).

(3)

As these references stand, there is nothing in them that could be regarded as suggestive of a natural basis. On the contrary, there is much that could lead to the postulation of a human basis.

The most significant details that are mentioned in connection with Śaṁbara may be analytically presented as follows :

(1) Śaṁbara is described as the son of Kulitara (RV. IV. 30.14) ; and although etymological equivocation for the name Śaṁbara may be possible, it is not possible to pun on the word Kulitara so as to draw out a reference to a nature-form.

(2) There is no significant anthropomorphic development with Śaṁbara, except the mention of his 'head' in a single passage : RV. VI. 26.3, uses the phrase, *amarmaṇaḥ śiraḥ* ; Sāyaṇa explains : *marmahīnam ātmānam manyamānasya Śaṁbarasya.* Śaṁbara is described as regarding himself to be without a vital weakness, invulnerable ; and this may be right on account of the context of Atithigva, for whose benefit this ' killing of the head ' is effected. Another passage, RV. VI. 26.5, mentions Śaṁbara's *sahasrā*, which must be his thousand followers.

(3) Śaṁbara's connection with *mountain* is mentioned in several passages : RV. I. 130.7 (*gireḥ avābharat*) ; II. 12.11 (*parvateṣu kṣiyantam*) : IV. 30.14 (*parvatāt adhi avāhan*) ; VI. 26.5 (*ava gireḥ han* : which Sāyaṇa explains as *gireḥ parvatāt nirgatam Śaṁbraram*) ; VI. 47.21 (*udavraje* is given as the place where Śaṁbara is killed ; Sāyaṇa explains, *udakāni vrajanti asmin*, and calls it a *deśaviśesa* ; but this could be a mountain even or a marshy place, if *udavraje* is explained as, *udakāni vrajanti asmāt*) ; VII. 18.20, uses the phrase, *bṛhataḥ Śaṁbaram bhet* ; Sāyaṇa explains *bṛhataḥ* as *mahataḥ śailāt*).

This ' mountain ' may have been later identified with ' cloud '. But it could equally have been a real mountain-fastness or fortress, which was Śaṁbara's residence (cf. RV. II. 12.11).

(4) Sometimes Śaṁbara's killing is mentioned in a plain statement. But the destruction of his ' cities ' figures prominently in several passages : RV. I.103.4 mentions *puraḥ* with a vague plural ; so is the reference in II. 42.2 *Śāṁbarāṇi* ; I. 130.7 refers to 90 cities ; the most common number is 99 (nine and ninety), which is to be found in II. 19.6, IV. 26.4, VI. 47.2, VII. 99.5 ; there are two references to hundred : II.14.6 mentions *Śatam*, and VI. 31.4 has *Śatāni*.

These 'cities' may be identified with 'clouds' in a symbolical description. But still they could have been real fastnesses or habitations commanded by Śaṁbara : (*a*) The uncertainty of the actual number and the fact that, in RV. Saṁhitā, it is generally denotative only of 'numerous', 'many', should be suggestive in this connection. (*b*) Commenting on RV. IX. 61.2, Sāyaṇa describes Śaṁbara as *śatrupurāṇām swāmin* : this would put him down as a master or leader of hostile habitations. (*c*) Besides, RV. IV. 30.20, mentions that Indra destroyed a hundred cities built of stone (*śatam aśmanmayīnām purām*) for Divodāsa. RV. VII. 99.5, describes the cities as firm and fortified (*dṛṅhitāḥ*). It is quite possible that this may be the description of real fastnesses and fortifications built of stone, behind which Śaṁbara and his followers gave battle to Indra. (*d*) In RV. IV. 26.3, which is Indra's soliloquy, Indra claims to have shattered away the 99 cities of Śaṁbara and made the *hundredth fit for occupation* for Divodāsa when he (Indra) gave protection to Divodāsa in a sacrifice organised by him (*śatatamam veśyam*). This detail would be meaningless on identifying the cities with 'clouds' ; for, Divodāsa could hardly be imagined as 'entering a cloud'. (*e*) RV. VI. 47.22, which is a *Dāna-stuti*, mentions the wealth of Śaṁbara (*Śāṁbaram vasu*) which Indra rendered to Divodāsa and which the latter offered to his priest-poet. Another reference to *dhanā* comes in RV. I. 130.7. These are equally suggestive of real wealth and not merely 'rain-waters', as the identification would demand metaphorically.

(5) In the discussion of the 'cities' of Śaṁbara a reference to Divodāsa has invariably come. This is a very significant detail. Śaṁbara and his killing has been mentioned in a general way in several verses, as indicated earlier. But Śaṁbara's connection with Divodāsa Atithigva, also is mentioned in 11 passages ; and most of them are where Śaṁbara alone is mentioned. It appears that the killing of Śaṁbara and the destruction of his cities were effected by Indra for the sake of Divodāsa, for his benefit, for his protection and prosperity. And when we remember that Divodāsa is a real human king whom Indra helped to conquer and overcome his enemies, there is a strong ground for assuming the human basis of Śaṁbara.

(6) In continuation with this assumption may be mentioned the fact that Śaṁbara is described as a Dāsa (or Dasyu) in four passages ; RV. I. 51.6, is a general reference to *Dasyu-hatyā*, where Saṁbara is mentioned along with others ; in IV. 30.14, Śaṁbara

is mentioned as the son of Kulitara; VI. 26.5, uses the phrase *Dāsam Śambaram* ; in VI. 47.21, Śambara and Varcin are mentioned as two Dāsas.

This may not be enough to put down Śambara as a non-Aryan foe of Indra; Śambara may have been identified with one; but it is at least suggestive of human basis.

(4)

It appears to me that Śambara may have originally figured as a human enemy in connection with Divodāsa. Śambara appears to be a wealthy and a powerful foe; his residence among the mountain-fastnesses (*parvateṣu*), his command of numerous stone-built cities, and the mention of his *dhanā*(*ni*) and *vasu* indicate this. Divodāsa may not have been able to overcome this foe on his own; he may have, therefore, sought Indra's help. Indra accomplished the killing of Śambara and the destruction of his numerous cities for the sake of Divodāsa; and since then, it became one among several feats that stood eternally to the credit of Indra.

Once Śambara's connection with Indra was thus fixed, the further process of legendary development must have come naturally; and it must have confused the original identity of Śambara and provided the base for nature-identification. It is not possible to determine the stages of this development : the details are vague; and the chronology of the ṛc-verses too cannot be accurately fixed. But it is possible to conjecture several factors that could have helped the identification of a human foe with nature-phenomenon. I conjecture the following factors :

(1) We must first note a particular vagueness in the description by the Ṛgvedic poets themselves :

(*a*) The most common root that is used in describing Śambara's killing is *han*, sometimes with a preposition. *Han* is used in RV. I.101.2, VI.21.4, VI.47.21, VII.99.5. *Śambara-hatye* in I. 112.14 and *Śāmbare* (*hatye*) in III.47.4 use the same root. *Ava-han* is used twice, IV.30.4 and VI.26-5; and in both cases the ablative of *parvata* or *giri* comes, from which Śambara is either hurled down or killed. *Parā-han* is used in VI. 26.3, and in connection with *śiraḥ*.

Bhid or *ava-bhid* is used with Śambara in I.54.4 (*bhid*), I.59.6, VII. 18.20 (both *ava-bhid*).

Randh is used twice, in I. 51.6 and VI. 43.1 ; and in II. 19.6 this root is used in connection with Śuṣṇa and Aśuṣa. Sāyaṇa on VI. 43.1, quotes Yāska to say that *randh* is used in the sense of 'subjugating': *radhyatiḥ vaśagamane*, Nirukta, 6.32.

Ava-bhṛ is used once, in I. 130.7 ; and the juxtaposition of *gireḥ* suggests 'bearing down from the mountain'.

Anu-vid (*vind*) is used once, in II. 12.11, where Śaṁbara is said to have been 'discovered' on the fourtieth autumn.

V ṛ ṇ (in the sense of 'killing') is used once, in VI.18.8.

In a single reference *avāhan* (*Vah*, casual) is used (as Sāyaṇa suggests), where Soma is praised for 'carrying down' Śaṁbara along with Turvaśa and Yadu.

(*b*) The destruction of Śaṁbara's 'cities' is indicated by the following roots :

Vi-han is used in VI. 47.2.

Vadh is used in I. 103.8.

Bhid is used in II. 14.6 and in I. 130.7 the same root is used without the actual use of the word Śaṁbara.

Vi-as is similarly used in IV. 30.20 with *puraḥ* but without the word Śaṁbara.

Vi-īr is used twice, in II. 19.6 and in IV. 26.3.
Vi-dṛ is used in II. 24.2.

It appears that the poets used these different roots in a general sense of *killing* or *destroying*. But the variety of verbal forms, the indiscriminate use of the same root, *Han*, *Bhid*, with both Śaṁbara and his 'cities, could have led to a confusion ; and the different shades of meaning which the roots signify in the later development of the language, could have prepared the way towards identifying Śaṁbara and his cities with nature-forms.

(2) This vagueness is reflected in the traditional explanations also.

In most of the passages Sāyaṇa describes Śaṁbara as an *asura* ; less frequently, as an enemy (*śatru*) ; in IX. 61.2 he is called *śatrupurāṇām swāmin*, master of the enemy-(hostile)-cities. Sāyaṇa and the Exegetists are not sure of the etymology of the word also : At I. 103.8, Sāyaṇa says *śamayati iti śamba*, *āyudham* ; *śameḥ* *ban* (Uṇādi Sūtras, 4. 534); *tato matvarthīyaḥ ra-pratyayaḥ*. At I. 112.14, he repeats the same explanation : *śamba āyudham, tad-yuktaḥ Śaṁbaraḥ asuraḥ*. But this would indicate Śaṁbara to be a *weapon-wielder*, and more reasonably, a human foe.

The other etymologies from *Śṝ-kṣaraṇe*, *Śṝ-saṁvaraṇe*, *Sam-vṛ-ācchādane* are obviously based on the prior identification of Śaṁbara with a cloud.

(3) What appears to be further likely is that, when Indra's killing of Śaṁbara came to be reckoned among his feats, the poets started mentioning it along with several other killings by Indra of human foes like Kuyava, Pipru, Turvaśa, Yadu ; and imaginary demons like Namuci, Arbuda, Cumuri, Dhuni ; and even of Vṛtra, the arch-enemy of Indra.

This general enumeration could have helped the confused identification of Śaṁbara with imaginary demons and, possibly, of a nature-form, conceived as an enemy of Indra.

(4) It is also seen that the killing of Śaṁbara is transferred to other Ṛgvedic gods : The attribution of Śaṁbara's killing to Soma (RV. VI. 31.4, VI. 47.2 and IX 61.2) is understandable on the close connection of Indra with Soma. And the same is the case with the attribution of the feat to Maruts in III.47.3-4.

But RV. VII. 99.5 attributes the killing jointly to Indra and Viṣṇu ; I. 112.14, to Aśvinā ; and II. 24.2, to Brahmaṇaspati.

This transference would not be easy to explain on the prior assumption of nature-identity. But if a confusion of identity is granted, it is easy to see how the original connection may be lost ; and once this happens, any imaginary identity can be foisted suitably on the original conception.

(5) Perhaps, we could discover the link to this new identity of Śaṁbara. :

At two places only does Sāyaṇa identify Śaṁbara with a 'cloud' : At RV. I.59.6, he describes Śaṁbara as *tan-* (*vṛṣṭi-udaka*) *nirodhakāriṇam megham* ; and at II. 54.2, he comments, *śaṁbarāṇi, megha-nama etat, meghān*.

The first of these passages, I. 59.6, describes Indra's greatness as the *Vṛtra-killer* and mentions, in the last line, the 'shaking free of waters' and the 'splitting of Śaṁbara' :

adhūnot kāṣṭhā ava Śaṁbaram bhet ≠ 1

In the enumeration of Indra's feats Śaṁbara, as indicated earlier, is several times mentioned together with Vṛtra. This association, taken along with the juxtaposition in this verse of *kāṣṭhā* and *Śaṁbara*—although the two could have been *separate* enumerations really—appears to have led to Śaṁbara's connection with ' waters ' and then with a rain-cloud !

The second passage, II. 54.2, refers to Brahmaṇaspati. He is described as humbling the foes or demons, of ' tearing the cities of Śaṁbara' in his anger, of ' shaking the unshakable ' (mountains or clouds ?), and ' entering the mountain (-cave) full of wealth (cows) '. As in the former passage, here too, the connection of Brahmaṇaspati with Śaṁbara brings in the deity's association with Indra and his help or prowess in subjugating Vala, and his discovery of the cows. This association appears to have transferred the symbols to Śaṁbara also, with the result that Śaṁbara now becomes a cloud of rain-water.

(5)

In this identification of Śaṁbara with a cloud of rain-water, the old memories about Vṛtra are also mixed up, as the mention of Śaṁbara and Vṛtra in the same passages would show. In fact, Śaṁbara could easily come to be identified not only with Dāsa but also with Vṛtra, the arch-enemy of Indra. And then, he is turned into a personification of a nature-form, with which old memories or mythical ideas could also be connected in the poet's mind.

On this process, B. G. Tilak's interpretation of *catvāriṁśyām śaradi*, and the memory of the ' arctic home ' can also be harmonised. Once a transformation into or an identity with a nature-form is established, the way is prepared for associating old memories and connecting mythical ideas with the, now confused, original conception.

This is likely to have happened with Śaṁbara.

ASPECTS OF THE GREAT ROAR IN THE ṚGVEDA

SADASHIV AMBADAS DANGE

THE Cosmic activity of the release of the cows (waters and the rays of light), that marks the exploits of Indra, results in the freedom of other divinities such as the sun, the Dawn, Agni, Soma and others. Another marked characteristic of this Great Release, as it may be termed, is that the divinities " roar ". Thus we have Agni roaring as soon as he is born in the *parama vyoman* (highest heaven). His roar is connected with the act of creation[1]. He is also said to resound the highest peak on the earth with powerful sweeps (VII. 7.2*a* *ā́ sā́nu śúṣmair nadáyan pṛthivyā́ḥ*). He is said to arrive at the *vedi* with a roar from the heavens (I.128.3). As the child of Heaven and Earth, he roars as he is born from his mothers (X.1.2). The roar here cannot be said to refer to the crackling sound of the fire in the sacrificial altar ; for as we have noted the roar is associated with him as he arrives from heaven. Again, such a roar is associated even with other deities who have no background of sacrificial " kindling ". Thus the sun is said to make a loud noise as he traverses the high heavens (*kánikradat patayad ūrdhvá-sānuḥ*, I. 152.5*b*). Earlier (Ibid, v. 3) he is said to be the foetus of *Mitrā-Varuṇā*, thus getting his roar associated with his birth. As Brahmaṇaspati roars he is also assoiated with the activity of creation and the cracking of Vala[2]. Here the creation is the release of the waters (IV. 50.5). Actually the roar of Brahmaṇaspati is the symbolic expression of his overlordship of the various *mantra*-s. At another place he is said to roar, being the Bull, his unique epithets being " *prā-gharma-sád* " and " *dvi-bárha-jmā* ", which show him to be having his abode in the mid-region, the *antarikṣa*. Even the sun-horse, that comes out of the primeval waters, is said to roar (I. 163.1, *yád ákrandaḥ pratha-*

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[1] *Ṛgveda* VII. 5.7, *sá jā́yamānaḥ paramé vy'òman* and *tvám bhuvanā janáyann abhikran.*

[2] ṚgV. IV. 50.5 *valám ruroja phaligám rávena.*

The word *phaliga* has been understood variously by scholars. See *Vedic Index* under the word. Recently Suryakanta in Belwalkar Com. Vol. (1957) P.44, takes it to be from *pari-ga.* More probably it appears to be a case of metathesis for *pari-gha* > *phari-ga* > *phali-ga.* The word *parigha* does not occur in the Vedic lit., but later it does occur and conveys the meaning of a weapon round in shape. In this context it indicates the enclosure, like *pari-dhi*, of the heavenly rains-cows. Vṛtra is said to be the *pari-dhi* of the rivers (III. 33.6 ; cf. IV.18.6).

mám jā́yamānaḥ udyánsamudrā́dutá vā purīṣāt), connecting the roar with his birth or, in other words, with creation. The triple bound bull (symbolizing the sacrifice or the sun) is also said to roar (IV. 58.3). There is no question about Parjanya who is said to be roaring (V. 83.1 ; VII. 104.1) indicative of rainy advance. Soma comes roaring from his high abode as he glides along the path of *ṛta* (IX. 97.32 ; 63.20). Though in some places it may be said that the roar of Soma indiates the resounding sound of the earth-drums at the pressing ritual, he stands as the impeller of Speech, which gives his roar the status of the arch Speech. It is to be remembered that it is Soma (with the only exception of Viśvakarman at X. 81.7) that is called Vācaspati, bringing him on par with Brahmaṇaspati (he is actually addressed as Brahmaṇaspati at IX. 83.1). In the case of Rudra his very name suggests that he is the Roarer. The roar of Indra is quite well marked (II. 11.8f).

The references we have noted indicate that the roar is significant. It gests associated with the very activity of creation ; and, as such, has to be treated as the expression of the primeval Speech. In the case of the sun, believed to be the horse coming out of the primeval waters, it is difficult to understand the roar as anything else than the primeval *speech associated with activity*. On closely following the concept, it appears that the roar is as necessary as activity itself. The most prominent concept of the combination of the roar with activity is to be found in Brahmaṇaspati, who appears to have smashed Vala by his mere sound (IV. 50.5 *valám ruroja phaligám rávena*). For this great feat his helpmates are the divine singers the Aṅgirases (*Ibid*, of *ṛ́kvatā gaṇêna*). He is said to have dispelled the darkness by his roar (Ibid, v. 4, *rávena vi saptáraśmir adhamat támānsi*). Here the roar is magnified to seven-fold, he being said to be *saptā́'syaḥ* (*seven mouthed*) in view of his having the seven Aṅgirases as helpmates ; and elsewhere he is said to be "*saptá-gu*" (X. 47.6) an epithet unique to him. The activity of smashing Vala (the enclosure of the divine water-cows or the light-cows), who is said to be "*phaligá*" is associated with Indra elsewhere, when he is said to accomplish it with the his *rava* (I.62.4) and the Aṅgirases break the 'mountain' with *rava* (I. 71.2), which can be nothing else than a peculiar word-charm. The *rava*, thus, comes to indicate the mental support to the physical activity ; and this is borne by the fact that it is transferred from Brahmaṇaspati or the Aṅgirases to Indra ; for he is said to have cut Vala with his *rava* as with the hand (X. 67.6, *índro valám raksitā́ram dúghānām karêṇeva ví cakartā rávena*). It is, thus, clear that the *rava* or roar, indiated by the word *kanikradat* (also *krandat* etc.) at other places, signified the mystic aspect of Speech which was believed to work out the result that was desired. The *rava* of Brahmaṇaspati, with whom the word *kanikradat* is associated, is said to be of some mystic or magic power (Geldner, *Der Rigveda*, IV. 50.5, zaubergesang). We have also the word *ravatha* indicative of the power of the *mantra* (I.100.13; IX. 801.).

In the concept of the *rava* that we have been examining also falls the *rava* that has been associated with the exploit of Saramā. It is said that she was the first to know the *rava* (III. 31.6, *ágram nayat supády' ákaṣarāṇām ácchā rávam prathamā́ jānatī́ gāt*). The idea is that Saramā knew the mystic aspect of Speech, which caused the release of the " cows ". This is exactly the case with the Aṅgirases or Brahmaṇaspati, who effect the release of the " cows " with their *rava*. The force of the *rava* is seen to be present also in the combination of the metres in the sacrifice (VII. 33.4c), where the concept takes a new turn. In this new aspect the *rava* is necessary to create new strength in gods (cf. *ibid, yác chákvarīṣu bṛhatā́ rávеṇa-índre súṣmam ádadhātā vasiṣṭhāḥ*). At various places in the Ṛgveda one meets the idea that the gods require praise by the humans to acquire additional valour[3]. The belief is seen even today, and is well rooted in the tradition as indiated by the *saṅkīrtana* and other methods such as *ārātrikam* (*ārati* in Marathi or Hindi; but in the original concept, *mantra-jāgara*, song and praise throughout the *night*).

What has been said above will prove that any study of *Vāk* (Speech) remains short of its mark if the concept of *roar* that is so well marked in the Ṛgveda remains out of its scope. The roar of the divinities and the presence of the speech in its various forms at the sacrifice, fall in the same line. As a matter of fact the roar is the arch type of all speech-activity in the world, may it be in the ritual setting or in the secular sphere. In other words it indicates the *universal symphony*. It is this belief that makes it necessary for a ritual to be accompanied by the speech-aspect called the *mantra*; and the meaningfulness of the mantras is borne out by this belief.[4] In the secular rites even, the aspect of speech is present in the form of the various ritual-songs. Where the song is not seen, it is often substituted by the notes from the musical instrument.[5]

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[3] I.31.18; II.11.2; VII.19.11 etc.

[4] *cf. Nirukta*, I.16, *etad vai yajñasya samṛddham* etc.

[5] See my paper " The Vedic Vāṇa ", *J. Indian Hist.* Vol. XLVI, Pt. II, August, 1968.

In this connection mention has to be made of a paper contributed by Norman Brown W. to *Pratidānam* (being a collection of Indian, Iranian and Indo-European Studies presented to Kuiper, Mouton). In this paper, " Creative Role of the Goddess Vāc in the RigVeda ", Brown takes a reviews of the concept of Vāk, suggesting that Speech is the supreme deity. He studies afresh the ideas in the three Vāk-hymns (X. 71 ; -125 ; I. 164) ; but never connects Vāk with the Roar which, as we have seen, forms a unique and the most original aspect of Speech. He fixes his attention on Ṛg.V. I. 164, and suggests that the *ekam sát* (at v. 46) refers to the Speech, spoken of here as in the neuter. It is difficult, however, to accept this conjecture in the absence of other sound proof, which Brown has not adduced. The point is that the *ekam sát* has to be seen in line with other such neuter nouns indicative of the supreme principle, rather than take it to refer to the Speech. Even in the earlier verse (I. 164.6) referred to by Brown the *ekam* is concealed in the visible form of the One who established the six regions. This One is the *Vāma*. Now the word *Vāma* comes as an epithet only of the Sun (or Āditya, or Savitṛ), who is an aspect of Agni (Ṛgv. II. 38.10 ; more perfectly at VI. 71.6, where we have wealth as *vāma* and also Savitṛ). About *Palita*, the main deity of the hymn, it has to be noted that the word is associated only with Agni or the Sun, (Agni I. 144.4, *dívānā́ náktam palitó yúvā ' jani* ; III. 55.9, *ni veveti palitó dūtó āsu* ; ffi. 4.5, *palitó dhūmáketuḥ* ; and the sun at X. 55.5 *yúvānam sántam palitó jagāra*)[6]. The *ekam* thus has to be understood in the context of the *Palita Vāma*, who has two more brothers (forms of Agni). One aspect of the *Vāma Palita* is concealed ; and it is indicated by the words " *níhitam padám veḥ* (v. 7), which also show that the *vāma palita* (the Sun) is thought of as a bird, which is exactly the case in *suparṇo garutmān*. It is to this *suparṇo garutmān* that the words *ekam sát* refer. This deity is clearly marked from the others (Agni, Mitra Varuṇa and Indra) as can be seen from the change in the gender and the word " *atho* ". The concept of the *garutmān* may be compared with that of *garonmān* or *garodemān*, from the Avesta. It is a unique combination of the deity and praise, or, in other words, the hymns deified[7] which later gets developed in the concept of Gāyatrī. Brown does not go into these details ; and his contention that the *ékam sát* refers to the Speech—here in the neuter, is hard to be accepted in the face of the fact of a clear masculine noun, *garutmān* being near it ! Another point to be noted is, that the hymn is not in praise of Speech. Speech comes only as the means to an end. The main deity of the hymn is the One stable principle. This stable principle is referred to in "*ṛco akṣare paramé vy'òman*" (v. 39), meaning that it stays in the highest and stable abode of Speech ; in other words it stays in the most powerful hymn, in which the gods also stay. The idea is the same as in the *suparṇo garutmān*. The word *akṣara* refers, in its mystic aspect, to this hymn-abode of the supreme principle rather than the "syllable" (Brown, *op cit*, p. 394). Possibly one may yet miss the meaning of the *akṣara* and truly it is said by the seer himself, "One who does not comprehend it, what shall he do with the *ṛc* ?". He clearly hints at his play upon words, purposefully arranged ! Immediately follows the verse, "the cow lowed chopping off the waters" (*gaurī́r mimāya salilā́ni tákṣatī*, Ṛg. V. Ibid, v. 41). The point is, what is the exact meaning of the expression ? Brown compares and contrasts this expression with the one in the famous *nāsadīya sūkta* (ṚgV. X. 129.3) and, obviously, misses the import of the words "*salilā́ni tákṣatī*" which he takes to mean "tumultuous chaotic floods". Once having taken this stance, he takes the words "*tásyāḥ samudrā́ ádhi víkṣaranti, téna jīvanti pradíśaś cátasraḥ/ tátaḥ kṣaraty' akṣáram tàd viśvam upa jivati* (v. 42)" to indicate the creation of this universe. This does not make clear what the *samudrāḥ* are, and what is exactly meant by the fact that they ooze out (*kṣaranti*). Summarily Brown takes the passage to mean that "by the sound Vāk produced the material of the universe, which was, however, chaotic, unorganized when it was produced. But Dīrghatamas avers, she has also produced the *akṣara* the instrument with which the unorganized material was to be organized."

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[6] The young being swallowed by the old indicates the moon swallowed by the sun. This is the oldest reference of the swallowing motif which gets so prominent in the *Brāhmaṇas* and symbolically enacted in the ritual of the consecration for sacrifice and the *upanayana*. For a full discussion see my book *Legends in the Mahābhārata* (Motilal Banarasidass, Delhi), " The Kaca legend."

[7] See my article "About the words *garut* and *garutmān* in the Ṛg V" *IHQ*, Vol. 39, Nos. 1 and 2P.134ff.

The words *akṣara*, *salilāni* and *samudra* are apt to create confusion ; and it is precisely because of this fact that in the verses that follow Brown finds a difficulty. He has leaned too much to the metaphysical side, taking the *salilāni* to be the primeval chaotic waters. It has to be remembered that the *salilāni* have to be differentiated from the *salila*. The latter comes as the principle of chaos, while the word *salilāni* (plural) does not indicate the same thing as the chaotic *salila* . Brown has not given any reason why he has not considered the commentary of Sāyaṇa, who, at least here appears to be quite on the track. The theme of the hymn is clearly suggested at the end, and one wonders if, setting that aside, we need strain ourselves into speculations. Thus at v. 49 we have the praise of the Sarasvatī ; and this Sarasvatī is not the goddess of Speech. The passage has to be connected with another from the Sarasvatī-hymn (VII. 96.6) where we have the mention, as here, of the *stana*. The only difference is that here we have the *stana* of Sarasvatī while at the other place it is that of Sarasvant, the male spirit of the river. The idea there (VII. 96.6) is the continuous flow of the " milky " (nourishing) waters conducive to the growth of the crops. The belief, already prominent in the ṚgVeda, is that the river is the cow, as is the cloud. The thought is only another phase of that enshrined in the famous *aponaptrīya* and the legend of Kavaṣa Ailūṣa, who causes the Sarasvatī to flood at the time of the drought[8]. If this misses the mark, Dīrghatamas has provided another , and a clearer, proof of the real motif of the hymn (I.164). The concluding verse of the hymn, without doubt, mentions the main deity of the hymn. This deity is said to be the " Source of waters ", " conducive to the herbs ". It pacifies with his " showers ". This god is called Sarasvant, thus connecting him with the Sarasvatī spoken of in a previous verse we have just noted. He is also called the divine Suparṇa. He is invoked for protection. This protection has to be connected with the general nature of the verse, which is the advent of the rain-showers. The word Suparṇa reminds us of the *Suparṇa garutmān* referred to earlier. It is this deity that is said to be the " *éka sát* ". The hymn culminates in the prayer for the advent of rain by propitiating this deity as " *apām garbha* ". Even in the preceding verse there is mention of the advent of rain ; and we need not bypass this clear indication. The two concluding verses are :—

samānám etád udakám uccaíty 'áva cā́habhiḥ
bhúmim parjányā jínvanti dívam jinvanty 'agnáyaḥ (v. 51)

divyám suparṇám vāyasám bṛhántam
apā́m gárbham darśatám óṣadhīnām
abhīpató vṛṣṭíbhis tarpáyantam
sárasvantam ávase johavīmi (v.52)

For the advent of the rain and the flood in the Sarasvatī it was necessary to sacrifice. The fires took the offering to heaven ; and the deities of rain (*parjanyāḥ*) pleased the earth. The hymn is, thus, a rain-charm primarily ; and falls in line with such other hymns as the Nābhānediṣṭha (X. 61), where Kakṣīvant, the son of Dīrghatamas, is referred to and we have the mention of Cyavāna, the whole thought of the poet centering round the idea of the gain of the rain-cows, with a ritual which appears to be obscure[9]. In the present hymn (I. 164) we have a mixture of the praise of the Speech and the *brahmodya* (v. s. 34-35). Before the *brahmodya* we have the seer speaking of himself as being closely associated with the heaven and the earth ; he alludes to the myth of the " father " and the " daughter " (Prajāpati running after his own daughter), and says that the father planted his seed into the daughter. This is exactly like the Nābhānediṣṭha hymn (X. 61) where the wonder-working seer calls himself the " *bandhu* " of the heaven and the earth (v. 19), and refers to the incest earlier (v.s 6 and 7). At various places in *ṚgVeda* obscure language, sexual wording and the advent of rain are associated ; and they are equally well set in the post-Vedic literature and people's belief and custom[10].

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[8] The subject has been thoroughly dealt with by me in *Pastoral Symbolism from the Ṛgveda* (Ashtekar Lecture Series, 1968 University of Poona) shortly to be published by the Poona University.

As the hymn, thus, speeks of the gain of rain and is, virtually, a rain-charm, the references to Speech are of secondary importance. The expression " *gaurír mimāya salilā́ni tákṣatī* ", hence, does not refer to the fashioning of the primeval waters by Speech. The waters are those in the mid-region-oceans (the *uttara samudra*, cf. X. 98.5, from which Devāpi brings the much desired rain). The " cow " which causes them to flow is the atmospheric cow ; and her lowing is the thunder. Thus, the traditional explanation offered by Sāyana is perfectly in tune with the Vedic belief of the cloud-cow. From this it will be clear enough that Dīrghatamas, the seer of the hymn, takes the lowing cow as connected with rain. The *akṣara* that flows is conceived here as the *visible aspect of the stable highest principle that oozes* due to the word-charm. This *akṣara*, in its visible aspect is liquid and is conducive to the welfare of the creatures and their very existence (cf. *tena jīvanti pradiśaś catasraḥ*). This is referred to as " *tataḥ kṣaraty* " *akṣsram, tad viśvam upa jīvati*). It should not be questioned as to, how the rain be called *akṣara*, which has to be the highest obscure principle. It has to be remembered that the Vedic people applied the term *brahma* to such visible objects as milk, fire and the juice of Soma[11], because these objects were a manifestation of the Supreme for them. The *akṣara* that actually oozes (*kṣarati*) may be compared with the

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[9] *Ibid*, also " Virgin and the Divine Seed-layer " my paper in *Journal of Indian History* Vol. XLV, part II, No. 134, August, 1967.

[10] *Ibid.*

[11] ṚgV. VIII.69.9 (milk) ; II.34.7 (*āpānam brahma*) ; I.80.9 (*havis*).

acyutā that are to be milked (X. 61.10), and also with the " cows " referred to as *akṣara* (cf. *akṣarāṇām*, III. 31.6) and known to Saramā. We may compare also *akṣáreva pinvatam* (I. 34.4). Though Speech lies beyond the nāka, her first manifestation is the " cow " that chops the waters of the mid-region[12]. This itself is a mixed concept, suggested from the lowing of the actual cow in the pasture, when the bull and the cow became beasts of supreme importance in the pastoral life. The divinity bestowed upon the cow, caused her lowing to be, in belief, the source of all sound, including human speech, which itself came to be identified with the cow. It is on this analogy that Bṛhaspati is *sapta-gu* i.e. having seven "cows" (Ṛg. V.X. 47.6) and is famous for his roar, which also is associated with other gods as we have noted earlier.

The roar is the most original aspect of the divine commanding speech, the " open sesame " of the gods. It is not unlikely that it was suggested from the rain-oozing roar of the cloud, the mid-region thunder being believed to be the expressed active aspect of the supreme Speech that lies hidden beyond in the *parama vy'oman*.[13] In a later stage the roar came to be adjusted with the concept of the *cloud cow*, and became known as the lowing. This change was the gift of the pastoral stage. The roar, the lowing of the " cow " and the human speech are, thus, aspects of the same divine Speech, which is a forceful aid to ritual. In other words, they signify the active, creative Speech.

—SADASHIV A. DANGE

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[12] The words "*téna jīvanti pradíśaś cátasraḥ*" do not indicate the advent of the *Speech-oceans* (!) ; but the rains. cf. *jīvadhanyāḥ*, spoken of the rains at I.80.4 ; X.30.11 ; X.169.1.

[13] The rain is said to be endowed with speech in the Ṛg. V. 63.6, where we have the concept of the *irāvatī Vāc* of Parjanya ; and Mitrā-varuṇā propitiate the *rava* when they shower rain, (*Ibid* 3).

ON THE SOURCES OF THE PLOT OF THE MUDRĀ-RĀKṢASA

W. R. ANTARKAR

SANSKRIT dramatists have hardly distinguished themselves by giving us what is technically called an उत्पाद्य वस्तु or a completely invented plot. Generally, they give us what is called a मिश्रवस्तु, a partly known and a partly invented plot, deriving it from some older materials, historical, mythological or legendary which, however, they adapt to their own requirements, introducing changes in and additions to the same, as they deem necessary. The same is said to be true of the plot of the Mudrā-Rākṣasa also. We have to see how far this is true and if so, to what extent the plot is borrowed and from where and to what extent it is invented. Before we do this, however, it would be instructive and useful to see what exactly plot means according to scholars, ancient and modern, on the subject and then apply it to the matter in hand.

According to Aristotle, plot is action. It is, however, not all or any action. Dramatic action (which constitutes plot) is that which springs out of inward emotion and expressing into outward activity, moves towards a definite goal. It is the pivot of the drama, round which the other parts grow and characters work and which gives the play its inner meaning and reality. It embraces all deeds, incidents and situations as also the mental processes and the motives underlying the outward events. Through the plot, the intention of the play is realised.

This dramatic action must of course be a complete and a coherent series of events, organically connected with one another as cause and effect, moving towards an appointed end.

A. Nicoll also says that a play cannot be without some plot or story, though it is many times merely a threadbare tale of legend, " the framework, on which is embroidered the gorgeous tapestry of the poet's invention." The poet thus takes the fable as a necessary component of the drama but in presenting the story, he makes his own selection of men and incidents and gives his interpretation of known facts. Characters of his selection and with his own interpretation, express or develop this fable and are subordinate to it. (see his Theory of Drama :`Ch. II—the technique of Drama).

The drama implies, however, not only emotion or will expressing itself into a complete action but confiict also. Not all conflict but that which is expressed in individual acts and in concrete relations with the world outside is the very soul and the backbone of the drama. " With the opening of this conflict, the real plot begins and with its conclusion, the real plot ends and between these two ends . . . . the movement of the plot will necessarily follow a fairly well-defined and uniform course."[1]

The substance of this discussion is that the plot consists of three elements, viz.,

(1) the central theme, which represents the intention or the appointed end of the play (this is, of course, to be distinguished from the moral lesson of the play, which it may or may not have),

(2) the various events and incidents, which spring from some inward emotion, which develop that theme from start to finish and which bring out a conflict, which is at the heart of the central theme and

(3) the characters, which develop that plot or action and in the process, reveal themselves. The characters are dramatic insofaras they develop the central action, which begins with the conflict and ends with its resolution. In short, the plot comprises the theme, the story and the characters.

Out of these, the theme is the poet's own interpretation or the presentation of the events and incidents and also the characters through a definite perspective of his own and as such is always of his own choice. The indebtedness of the poet to the earlier sources is, therefore, likely to be with regard to the one or the other or both of the other two elements, viz., the story and the characters and not with regard to the theme, which however, can help us understand the poet's presentation of these two.

Looking at the plot of the Mudrā-Rākṣasa from this point of view, we find that the theme of the play is given, at least in the present instance, by the title of the same, viz. Mudrā-Rakṣasa, i.e. the winning over of Raksasa by Cāṇakya by means of his signet-ring. The story consists of the plots of Rākṣasa to dethrone Candragupta—even to have him murdered—and to place some member of the Nanda-family on the throne of Pāṭaliputra and the

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[1] Introduction to the study of Literature by W. H. Hudson—p. 264. For further details regarding Aristotles theory, see Ch. IX on Plot and Character in Tragedy in his Theory of Poetry and Fine Arts, Ed. by S. H. Butcher.

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plots of Canakya to counteract the plots of Rākṣasa and to win him over to Candragupta's side. This story follows very close upon the story of the destruction of the Nanda kings by Cāṇakya with the help of Candragupta who was then placed by Cāṇakya on the throne of Pataliputra. The theme of the play is then developed through the characters of Cāṇakya, Candragupta, Rākṣasa, Malayaketu, Sakaṭadāsa, Candanadāsa, Virādhagupta, Siddharthaka, Bhāgurāyaṇa, Jīvasiddhi and others.

As to the likely sources of this plot, the following five accounts are generally given by scholars, the various editors of the play, viz., (1) Purāṇas like Viṣṇu, Vayu, Matsya and Bhāgavata, (2) Buddhist and Jain accounts, (3) Kathāsaritsāgara and Bṛhatkathāmanjarī, (4) Dhuṇḍirāja's Upoddhāta and (5) Greek chronicles. Out of these, the last is not likely to have been available to and hence used by the poet and, therefore, can easily be left out of account and consideration. The remaining four give us an agreed account, more or less, of how the Nandas, the then ruling kings, once insulted an erudite brahmin scholar, Cāṇakya or Kauṭilya or Viṣṇugupta, who became enraged thereby and by way of revenge, killed all the Nanda kings with the help of one named Candragupta, whom he then placed on the throne of Pataliputra. It may be remarked in passing that the Arthaśāstra of Kauṭilya also refers to this destruction of the Nandas by Kauṭilya himself[2]. These accounts also bear out broadly either that all the Nandas or that Candragupta was of a low origin, being born of a Sudra mother or of a Sudra father. The Buddhist and Jain accounts try to explain the term Maurya, applied to Candragupta, as being due to his belonging to the Moriya clan, a branch of the Śākyas or to the fact that the principal city of his family was planned like a peacock's neck and was, therefore, called Moriyanagara. The term is also sought to be derived from Murā, which is said to have been the name of his mother, (a Sudra woman). It is to be noted that none of these accounts mentions the name of Raksasa or of any characters except Cāṇakya and Candragupta while the Greek chronicles omit any reference to Cāṇakya also.

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Now, if we compare the plot of the play with these earlier versions, we find that the former is almost entirely different from the latter. Thus, the theme of the former is the insult of Canakya by the Nanda kings and the destruction of the latter by Canakya, with the help of Candragupta. Then, the conflict therein is between the Nandas and Canakya and it is their inward emotions that express themselves into outward activity. The motive of this conflict is Cāṇakya's sense of insult and his desire to take revenge against the kings for the same. The initiative is here completely with Cāṇakya. In the case of the drama, the picture is altogether different. The theme here is the winning over of Rakṣasa by Cāṇakya by means of his signet-ring. The conflict is between Cāṇakya and Rakṣasa and the outward activity depicted in the play springs from their emotions. The motive of the conflict is Rakṣasa's sense of devotion to his dead masters and his intense desire to take revenge against their killers and Cāṇakya's desire to utilise the services of a transparently honest and devoted minister like Rakṣasa for Candragupta and thereby to consolidate his newly-won kingdom. The initiative is partly with Rākṣasa and partly with Cāṇakya.

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[2] Read: येन शास्त्रं च शस्त्रं च नन्दराज्यागता च भूः ।
अमर्षेणोद्धृतान्याशु तेन शास्त्रमिदं कृतम् ॥—
the concluding stanza of Kautilya's Arthasastra.

The theme and the source of conflict being thus entirely different in the two, the entire story of the drama is also found to be quite different from that of the destruction of the Nandas by Cāṇakya, which can at the most be said to serve as the background only of the former and cannot be called its barest outline also, as we can do in the case of the Śākuntalam of Kālidāsa or the Uttara-Rāmacaritam of Bhavabhuti. In fact, we cannot institute any comparison between the story of the play and that of either of the dramas. Kālidāsa and Bhavabhūti may have reorientated the original stories of the MBH. and the Ramayana resp. by making sweeping changes therein but the central features of these stories remain the same in the two dramas.

Thus, Duṣyanta's going to the hermitage of Kaṇva, during his hunting-expedition, his seeing his daughter Śakuntalā there, falling in love with her, proposing to her a marriage according to the Gandharva form. Śakuntalā's consenting to him and marrying him accordingly, Kaṇva's coming to know about the marriage and his giving his own consent thereto, then his sending her to the court of Dusyanta after she had delivered a son (MBh.) or after her becoming pregnant (drama), Duṣyanta's repudiating her at first and then accepting her are features common to the MBh. version and the story of the drama. Kālidāsa has no doubt transformed this matter-of-fact story into a lively creation of great artistic and human merit and value but the retention of the original broad facts is unmistakable. We can, therefore, say that the MBh. supplies the framework for the plot of the Śākuntalam.

Similar is the case with the Uttara-Rāma-Caritam of Bhavabhūti. There, the coronation of Rama and Sita is declared to be over in the Prastavana itself and thereafter, the story relating to the abandonment of Sita by Rama upto their final reunion forms the subject-matter of the play proper. Here also, a substantial part of the story is a creation of the poet's imagination and yet, the outline of the Rāmāyaṇa story is unmistakable. Thus, we find that the features of the story, viz., Sītā's character being impugned by the citizens, Rāma's asking Lakṣmaṇa to abandon Sita in the forest on the pretext of fulfilling her दोहद of seeing the Janasthāna once more and Lakṣamaṇa's doing so, Rāma's performing a Horse-sacrifice by placing a golden image of Sita on the throne to serve the purpose of Sita herself, as wife, who was absent, and ultimately Rāma's recognition of his twin sons from Sita and his acceptance of Sita herself as blameless are found to be common to the play and the Rāmāyaṇa. The scene of Rāma's sacrificial horse being caught by Lava ana Kusa, their encounter with the army of Rama and in the end with Rama, the whole thing leading to the recognition and the final end is common to the play and Canto XV of Raghuvaṁśa of Kalidasa. The Rāmāyaṇa, in particular, therefore, can be said legitimately to supply the outline of the plot of Bhavabhūti's play.

Such is, however, not the case of the Mudrā-Rākṣasa. We cannot point to a single incident mentioned in the various chronicles referred to in the beginning as ' sources ', which is taken over into the plot or the story of the play proper. The Story of the destruction of the Nandas is referred to time and again in the body of the play but forms no part of it proper. The story of the play is a continuation of that story, which can, at best, be described as the background of the story of the play and not as that story itself or even as a part of it. It is somewhat like the story of Rāma's coronation serving as a background for the story of the later life of Rama, which is merely a continuation of the former. We cannot, therefore, describe the story of the Nandas as the bare outline or skeleton of the plot of the play. Nor can we say that the story of the play merely comprises details, as Dr. Devasthali calls them, which fill the outline given by the 'sources' to complete the picture. These 'source' give no outline and the story of the play is a complete picture-unit in itself made up of those very 'details'.

With regard to the characters also, we find that except those of Cāṇakya and Candragupta, all are quite new, so far at least as these earlier accounts are concerned. Cāṇakya has been taken over in the drama just as he has been described in these accounts—a person of a highly irascible temper. Regarding Candragupta, the drama refers to him as Vrsala and as a low-born person (कुलहीन II : 7) and sometimes as a Maurya-putra instead of as Maurya only. The Nandas are described as being nobly-born अभिजात though greedy and indifferent to kingly duties.

The nett result of all this discussion is that if plot is action, comprising the various events and incidents, the 'sources' describe an action which is a matter of past history while the action described in the play proper is subsequent thereto. At the most, the former can be said to be the background of the plot of the play but cannot be called the plot itself. We can, therefore, safely say that but for this background and the two characters of Cāṇakya and Candragupta, the entire plot of the Mudrā-Rākṣasa is quite new, in so far as these earlier accounts, the 'sources', are concerned. If at all, therefore, the earlier accounts are to be called the sources on account of these two things only—the background and the two characters—the point may be conceded but it must be asserted that the poet has used these sources thus far only and no further. This much about the main plot of the play.

Even though the poet has not taken for the main plot from the earlier sources beyond the background and the two characters, it is possible that he has borrowed and utilised a number of ideas from other earlier works (and not from these ' sources '), particularly the dramas. Dr. Devasthali has pointed out that the poet has borrowed several ideas from the Arthasastra of Kautilya, the idea of the ring from the Rāmāyaṇa and the Śākuntalam of Kālidāsa though with a different purpose, the idea of the letter from the Mālavikāgnimitram and the Śākuntalam, the nature thereof being different here again and lastly the idea of the two sets of ornaments from the Mrcchakaṭikam, which has one set of them only and a jewelled necklace. We may add that the scenes of Rākṣasa's cross-examination by Malayaketu in Act V and of Candanadasa being led to the place of execution at the beginning of Act VII of the Mudrā-

Rākṣasa very strongly remind us of similar scenes in Act IX and X of the Mṛcchakaṭikam. In fact, the Mudrā-Rākṣasa appears to us to be much closer to the Mṛcchakaṭikam than to any other drama in respect of such details. Though there can be no absolute certainty about all this borrowing—for mere similarity of ideas cannot establish it beyond doubt—it has some probative value and we can accept these earlier works as the possible sources of some such ideas.

With regard to the story of the play, it is quite possible that the poet has drawn upon some earlier material, which was available to him then but which is not available to us today. Regarding the other characters also, Raksasa is given by a uniform tradition and though omitted by the earlier accounts referred to at the beginning, he is accepted by scholars as a historical figure. It is also considered possible that Parvataka and even Malayaketu were historical characters, the rest being created by the poet. From this point of view, it is possible that the plot of the play was at least partly or even principally historical. It does not, however, follow necessarily from this that the play is also historical. The two viz., the plot of the play being historical and the play itself being historical are two distinct and independent concepts, the play in the present instance being, in our opinion, political rather than historical. This is, however, a different topic and need not detain us here. Suffice it to say in conclusion that the earlier accounts cannot be said to be the sources of the plot of the Mudra-Raksasa except in the very restricted sense and to the extent indicated before and till the historicity of the events and incidents, which constitute the plot of the play, is established, we shall have to agree with Prof. R. D. Karmarkar, who says that " we must assume that the several incidents in the play are all invented by the poet ..... There seems to be very little of real history for the basis of the Mudra-Raksasa."[3]

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[3] Mudrā-Rākṣasa, Ed. by Professor R. D. Karmarkar, Introduction p. XII.

MĪMĀṀSĀ IN THE BHAGWANTA BHĀSKARA OF NĪLAKAṆṬHA*

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IN the domain of the application of the Mīmāṁsā maxims and technical terms to the Dharma-Śāstra, Nīlakaṇṭha, who flourished between 1610 and 1645 A.D., occupied an honourable position. Nīlakaṇṭha composed an encyclopaedia of religious and civil law, styled Bhagwanta-Bhāskara, in the honour of his partron, Bhagvaṅtadeva, a Bundella chieftain of Sengara clan, that ruled at Bhareha near the confluence of Jumna and Chambal. In all, Nīlakaṇṭha has written 12 Mayūkhas. (1) Samaya Mayūkha, (2) Nīti Mayūkha, (3) Saṁskāra Mayūkha, (4) Ācāra Mayūkha, (5) Śrāddha Mayūkha, (6) Vyavahāra Mayūkha, (7) Dāna Mayūkha, (8) Utsarga Mayūkha, (9) Pratiṣṭhā Mayūkha, (10) Śuddhi Mayūkha, (11) Prāyaścitta Mayūkha, and (12) Śaṅti Mayūkha.

In this *thesis*, an attempt is being made to examine the extent of Pūrva-Mīmāṁsā employed by Nīlakaṇṭha in the course of his discussion in the 12 Mayūkhas and the position of Nīlakaṇṭha as a Mīmāṁsaka. The following features may be noted in connection with Nīlakaṇṭha as a Mīmāṁsaka.

Nīlakaṇṭha expressly criticizes the view points of his predecessors like Vijñāneśvara, Divodāsa, Raghunandana, Hemādri, Haradatta, the author of Dāyabhāga, Khaṇḍadeva, Bhavadeva and his own reversed father Śaṅkarabhaṭṭa on the Mīmāṁsā technical points. Sometimes, after citing the two divergent opinions in the matter under discussion, Nīlakaṇṭha passes over the point in silence. We get the examples of this kind in the Prāyaścitta Mayūkha P. 114 and Saṁskāra Mayūkha P. 39. Though Nilakaṇṭha—criticizes the peculiar view points of his predecessors, yet he is good enough to accept their view points on Mīmāṁsā technical points. In Samaya Mayūkha P. 178, he agrees with the view point of his father Śaṅkarabhaṭṭa and in the Saṁskāra Mayūkha P. 57, he agrees with the view point of Medhātithi. Sometimes, however, after citing the two divergent opinions, Nīlakaṇṭha states which opinion is acceptable to him and gives reasons for his view. In this connection, we get the illustration on page No. 108 of the Vyavahāra Mayūkha, when Nīlakaṇṭha cites the two meanings of the word "Sadṛśam" offered by Kullūka-bhaṭṭa and Medhātithi. Sometimes, however, in the course of his discussion, Nīlakaṇṭha, refers to the view points of some authors on the Dharma-Śāstra by using the expressions " इति एके or " इति अन्ये." We get the illustrations of this kind in the Prāyaścitta Mayūka P. 165 and Samaya Mayūka P. 187 Like Vijñāneśvara, he goes to the root of the subject and makes his comments on the Mīmāṁsā technical terms—Tantratā and Prasaṅga. Nīlakaṇṭha's contribution to the field is noteworthy. The application of the Mīmāṁsā maxim " Vidheyagataṁ Viśeṣaṇam Vivakṣitam " is rare and found in the Śuddhi Mayūkha P. 48. Nīlakaṇṭha's introduction of the three varieties of Atideśa—Sāmya, Tādrūpya, and Vācanika-deserves meed of praise from the scholars. This is evident from the Prāyaścitta Mayūkha P. 14. Nīlakaṇṭha's explanation of the term "Bhāvya" in the sense of "भाव्योपयोगी" is also happy as is clear from the discussion in the Vyavāhara Mayūkha. Nīlakaṇṭha throws light upon the technical terms Tantratā and Prasaṅga and this is also very happy. Nīlakaṇṭha's peculiar views on the Sūtras of Jaimini in connection with the Viśvajit sacrifice are also peculiar. Moreover, his view point that Tantratā is possible in the absence of the sameness of agents is peculiar; but at the same time it finds support from the text of Nārada. Moreover, it must be made clear that the idea of deduction of something from the original case (prakṛti) to the extended case (Vikṛti) is suggested by Vijñāneśvara in his comments on the Yājñavalkya-Smṛti III 232. Haradatta in his commentary on the Āpastaṁba-Dharma-Sūtra draws upon this idea and suggests half of the original to the extended case in the light of the Smārta Nyāya and this idea is properly used with some additions by Nīlakaṇṭha in his introduction of the three varieties of Atideśa in the Prāyaścitta Mayūkha.

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*This is an abridged summary of the first part of my thesis for Ph.D. Degree.

In the course of his discussion, Nīlakaṇṭha has used about 29 Mīmāṁsā and popular maxims and 52 Mīmāṁsā technical terms. Here for the sake of brevity, I give below the idea of the principle employed by Nīlakaṇṭha and its application to the case of Dharma-

Śāstra. Needless to say that it will not be possible for me to give all the illustrations of one principle. As far as possible, I will give the illustration from the Vyavahāra Mayūkha if available. and in its absence from the other works of Nīlakaṇṭha mentioned above. This is particularly done by me because the text of Vyavahāra Mayūkha is prescribed as a text for the post-graduate studies. Moreover, I will to have to drop some of the Mīmāṁsā technical terms here to avoid prolixity and this is also done by me against my sweet will.

(1) Aṅge phalasṛtiḥ Arthavādaḥ :—This Nyāya means that—whenever any special fruit is laid down for an aṅgakarma, then it amounts to an Arthavāda i.e. glorification. This glorificatory passage is not to be literally interpreted. While discussing the topic of Aṣṭamī-sāmānya Nirṇaya, Nīlakaṇṭha quotes verses from Bhaviṣyat Purāṇa. These verses mean that one who worships the Lord Viṣṇu on the Aṣṭamī day, all his sins of three lives will be destroyed. And the fast observed on that day, after worshipping Viṣṇu does not bring about the downfall of that man. Here it is to be noted that worship is principal and the observance of the fast on the Aṣṭamī day, is subsidiary. Even though the fruit in the form of the absence of downfall is laid down for the fast, yet this must be understood as mere glorificatory, following the principle laid down in this nyāya in the samaya Mayūkha P. 47.

(2) Anuṣaṅga Nyāya :—This nyāya means that the extension of a word, phrase or clauses from one sentence to another sentence is done, provided all those sentences are of the same type or form, and satisfy desirability, fitness and proximity. While discussing the topic of the succession to the property of a reunited member of the joint Hindu family, Vijñāneśvara understands the line "Saṁsṛṣṭinaḥ tusaṁsṛṣṭi etc. Yāj. II. 138, by making the anuṣaṅga of the words "Svaryātasya and aputrasya from the Yāj. II. 135. Nīlakaṇṭha however, does not agree with Vijñāneśvara and holds that this is not a fit case of Anuṣaṅga, inasmuch as even without making the anuṣaṅga, the required results can be obtained. On the contrary, if we resort to Anuṣaṅga, the following absurd results would follow. If aputrasya is connected as applied, then the result would be that of two sons or a son and a grand-son, one of whom is reunited with the father, and the other is not reunited, both will be entitled to the same share on their father's death. And this verse will have no application to a deceased reunited member who dies leaving sons. And this would be also opposed to popular usage. Moreover, the required results can be

had by referring to the text of Vṛddha Manu in respect of Svaryātasya and secondly by referring to the latter part of the stanza in respect of aputrasya. This is evident from the discussion on the Vyavahāra Mayūkha P. 147. Other illustrations of Anuṣaṅga Nyāya we get in Śrāddha Mayūkha P. 55, 140, and 150.

(3) Āgantūnāmante niveśaḥ nyāya :—The exact import of this maxim is that when certain persons are specifically invited for a meeting or dinner, they are seated on seats definitely allotted to them, but those who come univited, are assigned places at the end of the rows of those who are specifically invited. While discussing the line of succession to the property of a person after his death, the compact series of heirs from wife to brother's son is laid down. But Manu (IX. 217) has made a room for the paternal grand-mother. Our author holds that she cannot be assigned a place, by breaking the compact series of heirs. The best remedy to make room for the paternal grand-mother is to give her the place at the end of the brother's son, following the above maxim. This is clear from the Vyavahāra Mayūkha P. 143.

(4) Avirodhāt Sāmānyāt itareṣu tathātvam :—This maxim means that on account of the absence of conflict or on account of the presence of similarity, the same procedure is to be followed in other cases. While discussing the topic of Jivatśrāddham, our author says that a living person who desires to perform his śrāddha, should offer the following things of different sizes, prepared from different metals, upto the gift of the gold, as per one's ability or capacity. Nīlakaṇṭha further says that the rest of the procedure is to be followed in the case of Jīvatśrāddha of a living person from Jaladhenuvidhi laid down in the verses of the Viṣṇu-dharmottara, which are quoted by Nīlakaṇṭha on Page Nos. 160-161 of the Śrāddha Mayūkha, as there is absence of conflict in the two modes.

(5) Uddeśyagatam Viśeṣaṇam Avivakṣitam :—The exact import of this maxim is that the attribute of the subject is not literally intended to be stressed. While discussing the topic of the ordeals to be performed by a person who has committed serious offences, Nīlakaṇṭha makes a reference to the verse from Kālikā Purāṇa. In it, the word paradārābhiśāpa occurs. Here abhiśāpaḥ is the subject and paradāra is the adjective. Here our author concludes that the adjective or attribute paradārā of the subject abhisāpa is not literally intended to be stressed. The other illustrations of this kind we get on page Nos. 90 and 132 Vyavāhara Mayūkha, and P. 233 Prāyaścitta Mayūkha, Śuddhi Mayūkha P. 42 Śrāddha Mayūkha PP. 24, 118 and 147. But we

get the three cases where the present maxim Uddeśyagataṁ Viśeṣaṇaṁ avivakṣitam is not followed by Nīlakaṇṭha. This happens in the Dāna Mayūkha P. 14, Śuddi Mayūkha P. 48, and Saṁskāra Mayūkha P. 68.

(6) Ekasya tu ubhayatve saṁyogapṛthaktvam :—This maxim means that the separate mention of one thing in the context of two different things, can be properly connected with two different things. While discussing the topic of the five great sacrifices Nīlakaṇṭha quotes a passage to show that Vaiśvadeva karma is for the purification of oneself. He further quotes another passage to show that Vaiśvadeva karma is for the purification of food. Here Nīlakaṇṭha, making the application of the present maxim makes it evident that the Vaiśvadeva karma is both for the purification of oneself and the food. This discussion takes place on the Ācāra Mayūkha P. 69.

(7) Kapiñjala Nyāya :—This Nyāya simply means that by the plural number, the number three is to be understeood and not any other number from 3 onwards at one's option. While discussing the topic of the time for the coronation of a king, the king is advised to sip the juices, offer dakṣiṇā to the brahmins and chant the mantras. The plurality of the juices, mantras and the brahmins. is to be understood by the figure 3 only and not more, in this case, following the principle laid down in the Kapiñjala Nyāya. We get the other two more illustrations of this nyāya in the prayaścitta Mayūkha PP. 102 and 173.

(8) Kākākṣigolaka Nyāya :—This nyāya simply means that the crows are popularly supposed to have one eye, which when an occasion requires, moves from one socket into that of the other. Thus, one thing serves the double purpose. While discussing the topic of the time of partition of the heritage, Nilakaṇṭha quotes verses from the Nārada Smṛti XVI. 2.3 According to our author, in these verses, the expression "prattāsu bhaginīṣu ca is to be construed with the preceding clause "māturnivṛtte-rajasi" and with the succeeding clause "nivṛtte cāpi ramaṇe". Thus, it means that giving away of the sister in marriage must have preceded when the partition takes place, after the cessation of mother's desires, or after the cessation of the sexual desires of the father. This is clear from the Vyavahāra Mayūkha P. 95.

(9) Kaimutika Nyāya :—This maxim means that where a conclusion will fortiori follows as regards certain matters, when it is conceded that it does follow in certain other less important matters. This passage occurs in the Vyavahāra Mayākha P. 241 and Nīti Mayūkha P. 99. The matter under discussion was the the killing of an ātatāyī person. The words vā and api occurring in the texts of Manu and Kātyāyana, indicate that if an ātatāyī .e. a rash person—particularly a brahmin may have to be killed, then what to talk of other rash persons belonging to the other lower castes. This simply means that if the rash brahmin may have to be killed, then the other rash persons belonging to the lower castes must be killed. We get the other instances of this maxim on the Śuddhi Mayūkha P. 42, and Samaya Mayūkha P. 73.

(10) Gobalīvarda Nyāya :—In such sentences as "gāvaḥ ānīyantām balīvardā ca" the separate mention of the bulls that are really included under gāvaḥ is due to the fact that the bull are intractable than the cows and invite our special attention to them. While discussing the topic of the Vyavahāra padas, Nīlakaṇṭha quotes a verse from Bṛhaspəti smṛti, which mentions 4 kinds of sāhasas. Even though steyam and paradārābhimarśanam are mentioned in the 4 kinds of Sāhasas, yet Manu makes a separate mention of steyam and strisangrahaṇam. These two words are specifically and prominently stated by Manu, in order to invite our special attention to them, because these two are more dangerous, following the principle of this maxim. We get other examples of this Nyāya in the Nīti Mayūkha PP. 78, 86 and Śrāddha Mayūkha P. 49.

(11) Jāteṣṭi Nyāya :—This maxim lays down that stanaprāśana is to be done after jātakarmasaṁskāra. And the Jāteṣṭi must be performed after the jātakarma and stanaprāśana. Here it is observed that jāteṣṭi is to be postponed to the time of passing away of the period of impurity of the yajamāna. Jāteṣṭi is nitya in all cases where the birth of a son has taken place. But it is also Kāmya, inasmuch as several rewards are separately laid down for the same. Here evidently, the naimittika karmans also are included under the term nitya. While discussing the topic of sālaṁkṛtikanyādāna, our author, says that this is both nitya and kāmya like the Jāteṣṭi karma. Here our author has incidentally made a reference to the Jātesṣṭi Karma. This occurs in Saṁskāra Mayūkha P. 103.

(12) Tatprakhya Nyāya :—This maxim becomes useful to us to decide whether a word in any sentence is a proper name of a Vidhi or not ; otherwise we will have to assume that rite as a subsidiary rite i.e. a guṇa vidhi. While discussing the topic of sandhyāvandanam, our author refers to the text of Atri. In this verse, the word sandhyā occurs. On the basis of the above maxim, Nīlakaṇṭha concludes that the word sandhyā occurring in the text of Atri, is the name of a rite, because the sandhyākarma has brahmaloka as its fruit. The sandhyākarma has the Āditya as the deity. So it cannot be regarded as a guṇavidhi i.e a subsidiary rite. Hence Sandhyākarma is the name of the rite, following the principle laid down in this maxim. This occurs in the Ācāra Mayūkha P. 53.

(13) Daṇḍāpūpika Nyāya :—The exact import of this maxim is as follows : Daṇḍa means a stick. Apūpas are the cakes. These cakes were placed on a stick. If a mouse gnawed the stick, it would follow, as a matter of course, that the cakes thereon, also would be eaten by the mouse, because the cakes are soft as compared to the stick. While discussing the topic of the concealment of the paternal wealth, our author refers to the text of Manu IX.213, and concludes that if the elder brother incurs blame in the event of his trying to conceal the paternal wealth of younger brothers, then the younger brothers would incur more blame if they try to conceal or swallow the paternal wealth of their elder brothers. This disscussion takes place on the Vyavahāra Mayūkha P.131.

(14) Dehalī-dīpaka Nyāya : The principle of this maxim is that a lamp on the threshold of both of the rooms castes light both inside and outside the house or which lights the two consecutive rooms at one and the same time. While discussing the topic of the shares of the members of the joint Hindu family, our author quotes a verse from the Yājñavalkya-Smṛti II.139 and says that in the interpretation of the above verse, we will have to construe the expression "asaṁsṛṣṭya pi caādadyāt with the preceding clause anyodaryastu saṁsṛṣṭi etc. and also with the succeeding clause. Thus, the above expression serves the double purpose. This discussion takes place in the Vyavahāra Mayūkha P.149.

(15) Na tau paśau karoti :—This nyāya means that the prohibition of the two ājyabhāgas in the animal sacrifice and in the soma sacrifice is either a Niṣedha or a Paryudāsa or an Arthavāda. The conclusion is that this prohibition is neither a niṣedha nor a Paryudāsa. But it is a case of Arthavāda. This is so, because the

prescription of two ājyabhāgas, which is necessary for either of the two, is impossible. Therefore, this must be considered as an Arthavāda.

While discussing the topic of the right of the son, whose father is alive, to offer the rice-balls, our author quotes a verse from Sumantu and Hārita, to show that the son whose father is alive, should give rice-balls to those persons only to whom his father used to give or would have given the rice-balls. Afterwards, Nīlakaṇṭha again quotes a verse from the Smṛti of Kauṇḍinya, which expressly prohibits the son whose father is alive, from performing the gayā-śrāddha etc. This verse means that the son cannot perform these śraddhas, if at all he becomes the representative of his father i.e. He can perform these Śrāddhas by himself. Our author again quotes another verse from the smṛti of Kauṇḍinya which prohibits a son whose father is living or alive, from performing the srāddha which is Kāmya. On account of the availability of both the types of texts one allowing jīwatpitṛka to perform the Śrāddha and the other text prohibiting him to perform the same, we have to resort to an option, following the principle laid down in the nyāya "Na tau paśau karoti". This is the case where the principle laid down above in the maxim is not followed by Nīlakaṇṭha. This discussion takes place in the Śrāddha Mayūkha P. 44.

While discussing the topic of time, place and the agent for the Śrāddha ceremony, Nīlakaṇṭha quotes a verse. This verse simply means that when the Śrāddha is to be performed either in the dakṣiṇāyana or in the Uttarāyaṇa, or when the sun enters the zodical signs of Meṣa and tulā or when the Śrāddha is to be performed on the saṅkrānti day, it should be performed without offering the piṇḍas. The Piṇḍadāna is available in these cases in the prakṛti. While in the Vikṛti, it is not available. Now the question is whether this a case of option, following the principle laid down in the maxim "na tau paśau karoti" or whether this is a case of Arthavāda or whether it is a case of Paryudāsa. Nīlakaṇṭha, however, anticipates the view point of the prima facie that this should be treated as a case of Vikalpa i.e. option on the basis of the maxim "na tau paśau karoti." But our author, however, does not subscribe to this view. He points out that this is not a case of option on account of the absence of syntactical connection between the two and also on account of the absence of Paryudāsa. On the contrary, this can be treated to be a case of Paryudāsa, because the availability of Pinḍadāna is already possible in the case of Śrāddha to be performed on the Saṅkrānti day and also on account of its negation or prohibition in the present verse quoted by our author. Thus, in conclusion, it is rightly pointed out by our author that this, however, is not a case of Vikalpa or option but on the contrary it must be regarded as a fit case of Paryudāsa. This discussion takes place in the Śrāddha Mayūkha P.47.

(16) Nāgṛhītaviśeṣaṇa Nyāya :—This nyāya simply means that unless the attribute i.e. viśeṣaṇa is properly understood, the viśiṣṭa cannot be understood. While discussing the topic of the means of acquiring ownership, our author refers to the text of Gautma-Dharma Sūtra X. 39-42, in which the word riktha occurs. Here riktha means wealth which is characterised by the extinction of the previous owner's right on his death, as the word riktha is mentioned along with other words which convey only the means of acquiring wealth and not wealth itself. Here, the wealth is being qualified by the Viśeṣaaṇa namely the extinction of the previous owner's right i.e. swāmīsvatvadhvaṁsa. Our author concludes that unless the Viśeṣaṇa i.e. swāmīsvatvadhvaṁsa is properly understood the viśiṣṭa i.e. wealth cannot be understood. This discussion takes place in the Vyavahāra Mayūkha P.89.

(17) Nimittagataṁ Viśeṣaṇam avivakṣitam :—This nyāya simply means that the adjective of the nimitta i.e. occasion is not literally intended to be stressed. While discussing the topic of tilaniṣedha, our author quotes a verse from the Baudhāyana Smṛti. This verse lays down that if any one makes the tarpaṇa on sunday which happens to be the 7th day and on the anniversary day of the father and mother, then he becomes the destroyer of the manes. According to some scholars on the Dharm-Śāstra, the expression saptamī-ravi-viśiṣṭam is an occasion. But Nīlakṇṭha thinks that it is incorrect. There is no authority to hold the relation of viśeṣaṇa and viśiṣṭa in this sentence. Moreover, even if the expression saptamyām ravivāre is considered as an adjective of the nimitta i.e. occasion, yet it can be said that the adjective of the nimitta is not literally intended to be stressed. Just as in the sentence " yasyobhayaṁ havirārtimārcchet, the word ubhayam is not literally intended to be stressed, in the similar manner, here also the adjective of the nimitta is not literally inten-

ded to be stressed. This discussion occurs in the Ācāra Mayukha P.78.

(18) Niṣādasthapati Nyāya :—The compound nisādasthapati should be dissolved as the ṣaṣṭhī-tatpuruṣa compound according to the view point of the *prima facie*. But the siddhantin points out that this compound must be dissolved as the karmadhāraya compound i.e. niṣādaḥ ca asau sthapatiḥ ca and not as the ṣaṣṭhī tatpuruṣa compound. If the compound is dissovled as the karmadharaya compound, then it means that niṣāda is a person, belonging to the niṣāda caste and who also happens to be the chief of the niṣādas. Such a type of niṣādasthapati may acquire the essential knowledge of the Vedas from the then available teacher and perform the raudreṣṭi. Moreover, he is specially allowed to perform the raudreṣṭi by the express text of the Vedas. While discussing the topic of the gift and acceptance of a thing in the case of a Śudra person, our author points out that even though a Śudra has, ordinarily no right for gift and acceptance, yet he must be understood as being given this right for this purpose by the smṛti text such as śūdrāṇām śūdrajātiṣu, following the principle of this maxim. This discussion takes place in the Vyavahāra Mayūkha. P. 112.

(19) Pūṣaprapiṣṭatā Nyāya :— This maxim means that grinding which is generally prohibited in all the prakṛti and vikṛti yāgas, including those consisting of paśu and puroḍāśa offered to Pūṣan is to be understood as counteracted in the case of caru offered to Pūṣan. This Puṣaprapiṣṭatā nyāya has been incidentally referred to by our author. While discussing the topic of the period of one impurity falling within the period of another impurity, our author says that the separate observance of the second impurity which falls within the first impurity is strictly prohibited. But an exception to this rule is pointed out that whenever another impurity falls within the period of the earlier impurity, at the end of the last night of the first impurity, there is a separate rule that the second impurity must be observed for 2 or 3 days as the case may be. Thus, some lāghava is brought to this, because this becomes a fit case of pratiprasava (i.e. exception to the negative rule) on account of the use of the puṣaprapiṣṭatā nyāya in the present case. This discussion occurs in the Śuddhi Mayūkha P.75.

(20) Pratipradhānam guṇāvṛttiḥ :—This nyāya states that subordinate act is to be repeated in the case of each principal thing.

While discussing the topic of the five great sacrifices, the question arises whether there should be the repetition of the Vaiśvadeva Karma with reference to every additional cooking, when it becomes necessary or whether it should be performed only once. Our author says that in the matter under discussion, the Mīmāṁsā maxim "Pratipradhānaṁ guṇāvṛttiḥ is inapplicable, inasmuch as the Vaiśvadeva karma is for the beneficial interest of a man and not for the beneficial interest of a kratu. The above discussion occurs in the Ācāra Mayūkha P.69.

(21) Prathama-tyāga-kāraṇābhāvāt :—In this nyāya, it is stated that in the absence of a special reason, the first items in a series, are not to be omitted but they are to be taken. While discussing the topic of the performance of the five great sacrifices, our author quotes a verse from the text of Āśvalāyana. In it, the expression "ekastu caturo yajñān kuryāt vāgyajñapūrvakān" occurs. Here the question arises as regards the exact mode of interpreting or explaining the compound vāgyajnapūrvakān. Here the question arises as regards the exact mode of interpreting the compound vāgyajñn-pūrvakān. This Compound may be dissolved in two ways. In the tadguṇasaṁvijñāna bahuvrīhi, the individual indicated by the two words, forming the bahuvrīhi compound, is not apart from what is the import of the two words. If we dissolve the compound vāgyajñapūrvakān as tadguṇa bahuvrīhi compound then vāgyajña would be included in the expression caturoyajñān. If however, the compound vāgyajñapūrvakān is dissolved as atadguṇasaṁvijñāna bahuvrīhi compound, then it is to be noted, in the first place, that in this kind of compound, there is no contact denoted by the two words of the compound in the individual denoted by the compound. In that case, the meaning would be that the Yajamana should perform the four yajñas preceded by vāgyajña. Here, in this kind of explanation, the vāgyajña is excluded. According to our author, such compounds, as a rule, must be interpreted as tadguṇa-saṁvijñāna bahuvrīhi, as there is no reason why the thing that is mentioned here namely vāgyajña may be excluded from the meaning. Where, however, there exists a ground for excluding this, the compound may be dissolved as atadguṇasaṁvijñāna bahuvrīhi. In the present case, the Vāgyajña which is mentioned first in the list of 5 great sacrifices, cannot be omitted, following the principle laid down in the nyāya Prathama

tyāge kāraṇābhāvāt. This discussion occurs in the Vyavahāra Mayūkh P. 134.

(22) Phalavat sannidhau aphalaṁ tadaṅgam :—This maxim means that whatever is mentioned in the proximity with an action that has a separate fruit, but has no special fruit of its own, is subsidiary to what is declared to have a reward. While discussing the topic of sandhyāvandana, Nīlakaṇṭha makes a reference to the ardhyādana, which occurs in the contiguity of the sandhyāvandana. No indepedent fruit is laid down for the ardhyadāna. Whereas, Sandhyāvandana has an indepedent fruit in the form of pāpakṣaya etc. The application of the above maxim to the present case, makes it quite clear that the sandhyāvandana is a principal karma and the ardhyadāna which has no independent fruit, is its subsidiary. The above discussion takes place in the Ācāra Mayūkha P. 58.

(23) Viśaye ca prāyadarśanāt :—This maxim means that in a doubtful case, the correct conclusion is to be drawn by a perception of the general context in which a particular word occurs. While discussing the topic of the bath which a brahmacari is supposed to take after the death of his father, our author quotes a verse from the text of Devala. There is a doubt as regards the exact meaning of the word snāna occurring in the text of Devala. Our author, applying the principle of the above maxim, to the present case, states that the word snāna occurring in the general context of mahādāna and svādhyāya, denotes that it is either a kāmya snāna or the samāvartana snāna. And it is not an ordinary daily bath at all. This discussion takes place in the Śudhi Mayūkha P. 86.

(24) Vṛttidvayavirodha Nyāya :—This maxim means that if a single word in a vidhi is used in the primary sense in certain cases and in the secondary sense in some other cases, then the fault of Vṛttidvayavirodha would incur. We have only two examples of this nyāya from the Vyavahāra Mayūkha. While discussing the topic of adoption, Nīlakaṇṭha points out that the word pratigraha occurring in the contexts of marriage and adoption must be understood only in the secondary sense. Pratigraha is possible only in the case of a brahmin and the Brāhma form of marriage ; whereas pratigraha is not laid down in the case of kṣatriyas and Vaiśyas. The brahmin marrying the brahmin woman, will get ownership over his wife. He can accept her legitimately. Here the word pratigraha is understood in the primary sense. But in the case of a brahmin marrying the kṣatriya

woman, he will get only secondary ownership over his wife. And the acceptance on his part will be secondary. So in the order to avoid this above fault or defect of Vṛttidvayavirodha, it is better to understand the word pratigraha and svatva in the secondary sense. This discussion takes place in the Vyavahāra Mayūkha P. 92.

While discussing the topic of the line of succession to the property of a deceased person, our author refers to the Yājñavalkya Smṛti II. 135. In this verse, the word bhrātarḥ occurs. Vijñāeśvara understands this word as (1) full brother and (2) half-brother. According to Vijñāneśvara, the full brothers will succeed to the property of a decaesed person. And in their absence the half brothers would succeed. The above mode of interpretation adopted by Vijñāneśvara, will involve the fault of Vṛttidvayavirodha, according to our author Nīlakaṇṭha. This discussion takes place in the Vyavahāra Mayūkha P. 142.

(25) Sarvaśākhāpratyayamekaṁ karma Nyāya :—This nyāya simply means that even though there is a difference in the name, branch, form or the nature of the sacrificial work or activity yet there should not be understood any actual difference in the actual performance of that sacrificial activity. This position is to be accepted because all the different schools of Vedic knowledge acknowledge one and the same sacrificial action. If there is a conflict in the smṛtis on one and the same subject, then we must resort to option and when there are no chances of conflict in the smṛtis, all the rules from all the smṛtis should be held applicable to the subject matter. While discussing the topic of the Upākarma, our author quotes the opinion of Mādhava, the author of Nirnayāmṛta, that with reference to the upākarma, the month alone is prescribed. Even though there is a difference as regards the time during which the said ceremony of Upākarma is to be performed, yet it can be concluded that with reference to all the branches, there should be one and the same scarificial action, following the principle laid down in the above maxim. When there is a direct conflict in the smṛtis, one should stick to one's own Sūtra (Gṛhyasūtra) or the branch, because the sacrificial action is one and the same in all the sūtras. This discussion takes place in the Samaya Mayūkha P.109.

(26) Sādhuneva prayuñjīta :—This nyāya simply means that the grammatically pure words should be used in the performance of the sacred rites. While discussing the mode of utterance of the names of god Viṣṇu at the time of sipping of the water in the sandhyākarma, our author refers to the view points of other writers on the Dharma-Śāstra. But ultimately Nīlakaṇṭha states that from the proper application of the principle of the above maxim, it is needless to add that 24 names of the god Viṣṇu, must be uttered in the proper case i.e. dative case, and the same must not be uttered in the vocative case. This discussion takes place in the Ācāra Mayūkha P. 24.

(27) Sāmānya vidhiḥ aspaṣṭaḥ saṁhriyeta viśeṣtaḥ :—This nyāya means that when an injunction in general is indefinite in its application, the scope of the injunction in general is curtailed by the specific injunction. While discussing the topic of the upākarma, Nīlakaṇṭha quotes a verse from Kūrma Purāṇa. This verse lays down that the Upākarma ceremony should be performed by the best of the brahmins either on the full moon day of the month of srāvaṇa or on the full moon day of the month Āṣādha or Bhādrapada. While commenting on this stanza of the Kūrma Purāṇa, our author says that the Upākarma on the full moon day of the month of Āṣādha is with specific reference to the persons belonging to the Baudhāyana branch or school. When it is not clear from the text of Kūrma, in respect of which particular branch or school, this injunction is applicable, its scope can be curtailed by making the rule applicable to the particular branch of the persons belonging to the Baudhāyana branch, owing to the special injunction to this effect in the Baudhāyana Sūtra. This discussion takes place in the Samaya Mayūkha P. 109.

(28) Saṁkhyāyukteṣu samuccayaḥ syāt :—The exact import of this nyāya is as follows :—When a karma is already prescribed and with reference to this, a particular number is prescribed in another sentence, the combination of the number i.e. saṁkhyā must be understood. While discussing the time for the performance of the Śrāddha, our author quotes a verse from the text of Śāṭhyāyanī. This means that there should be the combination of 16 tithis of the black fortnight with reference to one Śrāddha, according to the view point of the prima facie. Some scholars on the Dharma-śāstrə, however, hold that there should be the sameness of the brahmins, place and daksina for this Śrāddha ceremony. But our author points out that the maxim "Samkhyāyukyteṣu samuccayaḥ syāt" is not applicable to the present case,

though it is wrongly suggested by the Pūrvapaksin. The province of the present case is entirely different because the combination of 16 tithis is prescribed with reference to the 16 different Śrāddhas and not with reference to one and the same Śrāddha. This discussion takes place in the Śrāddha Mayūkha P. 15.

(29) Saṅdigdheṣu ca vākyaśeṣāt:—This nyāya means that the meaning of the ambiguous expression in any line, is to be determined from the remaining part of the sentence. Another nyāya akin to this is "Viśaya caprāyadarśanāt." While discussing the topic of Vaiśvadeva karma, our author quotes a verse from the Manu-Smṛti. When there arises a doubt as regards the exact interpretation of the word aṅtarā occurring in the text of Manu, Nīlakaṇṭha says that the word aṅtarā means any other time in between the day and night, because the word sāyamprātaḥ, occurring in the text of Manu, helps us to remove the doubt in this matter. Thus, our author has properly applied the above maxim in deciding the exact meaning of the word aṅtarā. This discussion takes place in the Ācāra Mayūkha P. 111.

THE IMPORTANCE OF PRAKRIT LITERATURE WITH REFERENCE TO THE SPREAD OF JAIN RELIGION IN ITS EARLIER STAGE DURING THE EARLY CENTURIES*

By Dr. Jagdishchandra Jain

It has been laid down in ancient Jain scriptures that the Jain monks should stay at one place for a period of four months, during the rainy season, and for the remaining part of the year, they should roam from place to place in order to meet distinguished teachers of their sect and preach religious sermons to the people. They were supposed to be well-versed in various customs and practices of the land where they might have to stay so that they do not become a laughing stock.

King Sampai (Samprati), the son of Emperor Ashok, was a powerful ruler of Ujjenī (220-211 B.C.) and a great patron of Jain religion. It is believed that he trained his warriors and sent them to the border lands (*paccantadesa*) and thus he is said to have made the 'non-Aryan' (i.e. non-Jain) territories such as Andhra, Maharashtra, Kuḍukka, Saurashtra etc. suitable for the movements of the Jain monks.

Various important customs and traditions of these countries (*janapada*) have been recorded in the Jain Canonical literature.

Kuḍukka (Koḍagu = modern Coorg) is included among such 'non-Aryan' territories which later formed a centre of Jain activities. Mention has been made of Kuḍukka ācārya[1]

Milk was called *pīlu*[2] (pāl in Malayalam and also in Tamil). And like Koṅkaṇa, people here were fond of rice-gruel (*pejja*)[3]. Golla (Goli, district Guntur) has also been referred to. *Jugga* (*yugya*), a palanquin with a square altar, measuring two hands, was used as a means of conveyance in this country[4]. According to Jain traditions, Cāṇakya was a resident of this place[5]. In the

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[1] *Vyavahāra Bhāṣya* 4.283

[2] *Āvaśyaka Cūrṇi* 1, page 27

[3] *Daśavaikālika Cū.*, p. 316

[4] *Rajapraśnīya Sūtra ṭīkā*, p. 6

[5] *Āva. Cū.*, p. 563. According to the Buddhists he belonged to Takshashilā

inscriptions at Śravaṇabelagolā, mention has been made of Golla ācārya. On account of severe cold in the month of *caitra* here, Jain monks were allowed to wear two garments, one under and the other upper[6]. The Brahmins were allowed to marry their step-mother (*māisavatti*) in Golla[7]. According to custom, a patient was not allowed to go out of the house for the fear of goblin (*dākinī*)[8]. A concotion was prepared from dried mango pieces which was used for drinking.[9]

In Damila (Tamil = Draviḍa) corn was produced by using pond water (*tālodaka*)[10], and rice was called here *cora*[11] (same as in Malayalam). It has been stated that the maid -servants known as *Dāmilī* were employed from this place[12]. As there were no followers of Jain religion here, it was difficult for the Jain monks to get shelter, hence they were allowed to stay under a tree.[13]

The territory of Āndhra does not seem to find much favour with the Jains. The people of this land are said to be known for their cruel disposition (*akūramata*).[14] Rice was called *iḍāku*[15] here.

The country of Marahaṭṭa or Maharashtra gained much popularity with the Jains. Various customs and practices of this place are recorded in the ancient Jain texts. Just as the people of Āndhra are described as cruel and those of Kosala as sinful, the people of Maharashtra were known to be talkative (*vācāla*)[16] by nature. The naked Jain monks of this country wore a ring (*veṇṭaka*) round their penis.[17] *Kaccha* (*kachotā* in Hindi), the term prevalent in the country of Lāṭa, was known here as *bhoyaḍā*. The girls of Maharashtra wore the *bhoyaḍā* (drawer) right from their childhood till they got married. After they conceived, the relations were invited to a sumptuous feast and the drawer was removed ceremoniously.[18] According to custom, people of this country added water to flour and placed it in an earthen lamp which was floated in water.[19]

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[6] *Ācārāṅga Cū.*, p.274

[7] *Āva Cū.*, 11, p. 81

[8] *Bṛhatkalpa Bhāśa Cū.* 1.2380, and foot-note 3

[9] *Ācā Cū.*, p. 340

[10] *Bṛh. Bhā.* 1.1239

[11] *Das. Cū.*, 7, p. 236

[12] *Niśītha Sū.* 9.28 ; *Bhagavatī* 9. 6

[13] *Bṛh. Bhā.* 3.3749

[14] *Vya. Bhā.* 7.126. In the *Māhābhārata* (4.119) also the Āndhras are described as belonging to a rude race

[15] *Bṛh. Bhā. Vṛtti*, *Pīṭhikā*, p. 57

[16] *Vya. Bhā.* 7.126. Udyotana Sūri (8th century A.D.) in his *Kuvalayamālā* has described the people of Maharashtra as strong, short statured, darkish, tolerant, self-respecting and of quarrelsome nature

[17] *Bṛh. Bhā.* 1.2637

[18] *Niśītha Cū.*, *Pīṭhikā*, p. 52

Here the wine-sellers[20] as well as the barbers[21] were not despised. A flag was always seen fluttering on the wine shops whether there was a stock of wine or not (removing the flag indicated that the wine was sold out).[22] Woollen blankets were sold in Maharashtra at an exhorbitant price as they were brought from other places[23]. Plantains were known as *agaṇṭhima* (having no *granthi* or seed) and were grown here in abundance.[24] The words *pālaka*[25] (a vegetable), *kūra* (rice)[26], *aṇṇā*[27] (a common word used by menials for calling out people), and *māuggāma*[28] (women) were in common usage in this part.

Khaṇḍobā, a prominent deity of Maharashtra, described as *hayavāhana*, *maṇimalla* and *pañcānana* in the *ārati* of Swami Ramdas, is the same deity as Khanda or Skanda of the Jain Canonical literature.

Paiṭṭhāṇa (Pratiṣṭhāna, modern Paithan), also known as Poyaṇapura, was a capital of Maharashtra. It is mentioned in the ancient Buddhist texts that there was a regular traffic for carrying commodities from here to Śrāvasti, via the commercial towns Māhiṣmati, Ujjeṇī, Vidiśā, Kauśāmbī, Sāketa and other places. According to the Greek author of *Periplus of Arithrian Sea* (first Century A.D.), who was a sailor, a number of ships arrived at the port of Bharuyakaccha (modern Broach) from foreign countries. Precious stones from Paiṭṭhāṇa and cotton and muslin from Tagarā (modern Tera, district Usmanabad) were transported to Bharuyakaccha to be exported.

Śālivāhana or Sātavāhana, also known as Hāla (first century A.D.) ruled over Maharashtra. He was a great warrior, a diplomat, a scholar and a poet and a strict disciplinarian, all rolled into one. After his coronation, he adorned his capital with beautiful temples, market places, pathways, rampart and moats. He exempted the southern region (Dakṣiṇāpatha) from taxes. And after conquering

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19. *Ibid*, 17.5970
20. *Bṛh. Bhā. Vr.* 1.1239
21. *Ācā. Cū.*, p. 233
22. *Bṛh. Bhā.* 2.3539
23. *Ibid*, 3.3914
24. *Ibid*, 1.3039
25. *Ibid*, 1.2094
26. *Ibid*, *Pīṭhikā*, p. 57
27. *Das. Cū.*, p. 250. In Telugu it means elder brother
28. *Niśītha Sū. Uddeśa* 6

Uttarāpatha upto the Narmadā river, he promulgated the Śālivāhana year. Śālivāhana evinced keen interest in wrestling and awarded prizes to outstanding wrestlers. He himself used to take regular exercises in gymnastics. Śālivāhana was a great scholar of Prakrit and it is believed that he conversed in the Prakrit language with his queens. He compiled *Gāhāsattasai* (*Gāthāsaptaśatī*), a collection of seven hundred selected lyrical verses in Maharashtri Prakrit, composed by eminent poets[29].

Paiṭṭhāṇa was an important place of learning in the South, and a centre of Jain activities. It was visited by several distinguished teachers, including Pādalipta Sūri[30], Kālakācārya and others. The festival in honour of Indra was celebrated here with great pomp and pageantry. It is stated that once when Kālaka arrived in the city, he was awarded a warm and colourful reception by king Śālivāhana. Kālaka had declared the fifth day (*pañcamī*) of the bright half of *bhādrapada* as the day of *pajjosaṇa*, an important festival of the Jains. But since the day was already fixed for celebrating the Indra festival, at the request of the king, Kālaka changed the fifth day to the fourth (*caturthī*). Since then the practice of celebrating *pajjosaṇa* on *caturthī* came into vogue. This popular festival was known as *samaṇapūya* (*śramaṇapūjā*), in honour to the *śramaṇas* in Maharashtra.[31]

Koṅkaṇa, unlike today, was separate territory, not included in Maharashtra. Koṅkaṇa has been cited as an example of *āsandīṇa dīva* (*dvīpa*) which did not overflow with periodical sea-tides[32]. This country is mentioned along with Sindhu and Tāmralipti, as being infested with deadly mosquitoes.[33] A formidable forest is mentioned here which was frequented by lions.[34] The stones on the river bed of this region were sharp-edged and they hurt the feet while stepping in water.[35] Excessive rainfall has been recorded in this region, therefore as an exceptional case, Jain monks were permitted to carry an umbrella.[36] People of this land were in the habit of eating meat and were also fond of rice-gruel,[37] fruits and flowers.[38]

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29. See Sātavāhana or Śālivāhana Prabandhas in *Vividhatīrthakalpa* of Jinaprabha Sūri (14th century), *Caturviṃśatiprabandha* of Rājashekhara Sūri and *Prabandhacintāmaṇi* of Merutunga
30. *Piṇḍa Niryukti* 497 f
31. *Niśī. Cū*, 10.3153
32. *Uttarādhyayana Cū.*, p. 115
33. *Sūtrakṛtāṅga Ṭīkā*, 3.1.12
34. *Bṛh. Bhā.* 1.2964-68
35. *Niśī. Cū.* 12
36. *Ācā. Cū.*, p. 366
37. *Das. Cū.*, p. 316
38. *Bṛh. Bhā.* Vṛ. 1.1239

Koṅkaṇa was noted for its *girijanna* (*giriyajña*, a sacrificial feast) feastival which was celebrated in the evening.[39]

Soppāraya or Śūrpāraka (modern Nala Sopara, district Thana), situated on the sea-coast, was the capital of Koṅkaṇa. According to the Buddhist texts, a regular trade existed between this city and Bharuyakaccha and Suvaṇṇabhūmi. It is mentioned in ancient Jain texts that Soppāraya was an important centre of trade and commerce, and a large number of traders, who resided here,[40] were exempted from taxes.[41] The city hummed with the activities of the Jains and several Jain saints, including Ārya Maṅgu and Ārya Samudra visited this place on several occasions.[42]

Soppāraya was famous for wrestlers. Regular wrestling bouts were organised in which well-known wrestlers participated from far and wide. The king encouraged such competitions by honouring them and offering them prizes in cash[43].

Ṭhāṇā or Sthānakapura[44] (modern Thana) and Nāsikka[45] (modern Nasik) have been mentioned as parts of Koṅkaṇa. Later on, they became better known as centres of religious activities of the Jains.[46]

Various words and terminology are recorded in the Jain Canonical and exegetical literature which can be well compared with Marathi language. The Marathi word *ṇhāvī* has been derived from *ṇhāviya* (from *ṇhā*; *snā* in Sanskrit = to bathe; *snāpita* = one who causes to bathe). The function of the barber in ancient days was not only to cut hair or shave, but also to give bath and to adorn the body with ornaments. This is the reason why the barber's saloon was known as *alaṅkāriyasabhā* (a chamber of decoration).

Aṅghoḷa (to take bath) is another interesting word which occurs often in the commentary literature of the Jain Canons in the sense of bathing upto the neck (*ākaṇṭhasnāna*). *Tūpa* means *ghee* in Marathi (*tūpa* in Kannad means oil), but in the commentary literature of the Jain Canons, it is used in the sense of fat. It appears that in the past, fat was used in performing sacrifices, but later on, as the cult of non-violence came into vogue, it was replaced by *ghee*. The Marathi words *mehuṇā* (maternal uncle's son, father's sister's son, wife's brother, or sister's husband) and *mehuṇī* (maternal uncle's daughter, father's sister's daughter, or wife's sister) are not less significant. *Mehuṇā* and *mehuṇī* occur in the exegetical literature of the Jain Canons. These words are related to the custom of matrimonial alliance (*maithunagamyā*) with maternal uncle's or father's sister's daughter or wife's sister. It is to be noted, however, that the marriage with the daughter of maternal uncle was permitted in the countries of Lāṭa and Dakṣiṇāpatha but was prohibited in Uttarāpatha[47] and marriage with sister's daughter was not allowed in Lāṭa[48].

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[39] *ibid*, 1.2855
[40] *ibid*, I. 2506
[41] *Nishī. Bhā.* 16.5156
[42] *Vya. Bhā.* 6.241
[43] *Uttarā. Ṭīkā*, 4, p. 73a
[44] *Vya. Bhā.* 1.3, p. 126a
[45] *Āva. Cū.*, p. 566.
[46] See *Vividhatīrthakalpa* of Jinaprabha Suri

A comparison of the following Marathi and Prakrit words reflects on the influence of Prakrit on Marathi. Besides *tāk* (*takka* in Prakrit), *chāsa* is another word in Marathi for butter milk. *Chāsa* is especially used in *ahirāvaṇī* dialect spoken by Ābhīras of Khandesh. This word has often been used in commentary literature of the Jain Canons. The following words are noteworthy : *basti* (*vasati* in P., place of dwelling of the Jain monks), *ṭiṭeghar* (used in *jñāneśwarī* ; *tiṇṭāghara* in P., gambling house ; compare *ṭaṇṭā* in Hindi), *ḍheṅkuṇ* (*ḍhiṅkuṇa* in P., bug,), *muṅgī* (*muiṅga* in P., ant), *undir* (*undur* in P., rat), *mākaḍ* (*mākaḍa* in P., monkey), *sheli* (chelī in P., she-goat), *pola* (*poāla* in P., bull), *ganḍul* (*gaḍūla* in P., earthworm,) *dūdhi* (*doddhia* in P., gourd), *pohā* (*pihaga* in P., puffed rice), *gom* (*gomhī* in P., centipede), *kolhā* (*kolluga* in P., jackal), *pelu* (the same in P., sliver), *pīṭh* (*piṭṭha* in P., flour), *ghāṇa* (*ghāṇa* in P., filth),*khoḍ* (*khoḍa* in P., stump), *ghusaluṇen* (*ghusaluṇa* in P., to churn), *jala* (*jalla* in P., dirt), *thor* (*thūra* in P., large), *dashī* (*dasā* in P., fringes), *cikhala* (*cikkhalla* in P., mud), *dādar* (*daddara* in P., staircase), *jāu* (*jāuga* in P., wife of elder or younger brother), *toṇḍ* (*tuṇḍa* in P., mouth), *bahuli* (*vāulla* in P., doll), *sūṇ* (*suṇhā* in P., son's wife)[49].

Among other non-Aryan countries, mention may be made of Sindhu-Sovira. The two lands of Sindhu and Sovira are referred to in the Pali texts of the Buddhists, wherein each is described as a centre of trade and commerce. According to the Jain commentator, Abhayadevasūri (11th century A.D.), however, the country of Sovira (modern Sindhu) was situated near the Sindhu river, hence was known as Sindhu-Sovira[50].

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[47] *Āva. Cū.*, 11, p. 81

[48] *Nisī. Cū.*, *Pīṭhikā*, p. 51

[49] See Jagdishchandra Jain's *Jain Agam Sahitya Men Bharliya Samaj*, App. 3

This region was frequently flooded and cold winds blew fiercely throughout the year[51]. Like the country of Malwa and Ṭaṅka (in Uttarāpatha), people of Sindhu were known for their harsh language[52]. They were fond of *gorasa* (milk products) and were accustomed to eating meat, hence the non-vegetarians were not censured here [53]. People were fond of drinking wine and the wine-pot could also be used for drinking water etc.[54]. The washermen were not despised as in other countries[55]. Corn was cultivated here by river water[56] Fire was considered sacred[57].

Generally, the Jain monks were not allowed to frequent Sindhu. It has been stated that the country was the home of various heretical nuns. However, if owing to famine, invasion of the enemy, or any such calamity, one was forced to visit this place, it was expected of him to return as soon as possible [58]. Generally, the Jain ascetics were barred from wearing clothers with fringes (*dasā*), but they could retain the fringes like the ascetics of Thūṇā (Sthāneshwar)[59]. They received their alms only with clean clothes on[60]. Sindhu was famous for its fine cloth[61].

Vīibhayapaṭṭaṇa (Vītibhayapattana, modern Bhera, district Shahapur in Pakistan) was the capital city of Sindhu-Sovira. It was situated in Siṇavalli (may be identified with Sanavan or Sinavat in the district of Muzaffargarh in Pakistan), a dry and sandy stretch of desert where a group of people perished while crossing it[62]. This city which was also known by the name of Kumbharapakkheva[63] was a centre of trade and commerce where merchants used to move about in ships[64].

[50] *Bhagavatī* 13.6
[51] *Vya. Bhā. Vṛ.* 8.15 ; *Niśī. Cū.*, 2.1225
[52] *Niśī. Cū.*, 2. 874
[53] *Bṛh. Bhā.* 1.1239 and foot-note
[54] *ibid*
[55] *Niśī. Cū.*, 4. 1618
[56] *Bṛh. Bhā.* 1.1239
[57] *Āva. Ṭīkā*, p. 5a
[58] *Bṛh. Bhā.* 1.2881 ff ; 4. 5441 f
[59] *ibid*, 3. 3906
[60] *Niśī. Cū.*, 15. 5094
[61] *Ācā. Cū.*, p. 364
[62] *Ava. Cū.*, 11, p. 34, 553
[63] *ibid*, p. 37
[64] *Uttarā. Ṭīkā*, 18, p. 252a

King Udayana (Rudrāyana of the Buddhists), the lord of several crowned (*mauḍabaddha*) kings, was a powerful ruler of this capital[65]. He distinguished himself as a warrior and won several battles. He was also very fond of music[66].

Suraṭṭha or Saurāṣṭra (modern Saurashtra) seems to have found favour with the Jain monks. It is mentioned that ācārya Kālaka brought ninty-six *Shahas* from Pārasakūla (Persia) and accordingly the country was divided into ninty-six divisions (*manḍalas*)[67].

Kūlya is mentioned as a wooden instrument for cutting grass, measuring two hands with an iron plate attached to it with nails[68]. *Kaṅgu* (a corn) was preferred to eating rice[69]. *Tellakela*, an earthern pot, was used for storing oil. Saurashtra was an emporium of trade and commerce and was frequented by merchants from distant places[70].

Bāravai (Dvāravati or Dwārakā, modern Junagarh) was the capital of Saurashtra ; it was also known as Kuśasthalī[71]. According to *Vasudevahiṇḍi* (about 5th century A.D.), it was a chief town of Āṇaṭṭha (Ānarta), Kusaṭṭha (Kuśārta), Suraṭṭha (Saurāṣṭra) and Sukkaraṭṭha (Suṣkarāṣṭra)[72]. The city was sorrounded by a stone wall[73] ; to its north was situated the mountain Revaya (Raivataka, also known as Ujjayanta) which is described as abounding in various species of birds, creepers and flowers[74]. On this mountain were beautiful springs where the citizens celebrated the festival of *saṅkhaḍi* annually[75]. According to Digambara Jains, Dharasena had instructed Bhūtabali and Puṣpadanta to write down the remaining scriptural knowledge at this spot. Girinayara (modern Girnar) was located near this mountain[76].

Dwārakā was a centre of trade and was famous for its fine breed of horses [77]. The sea-fearing merchants arrived here by boats from Teyālapaṭṭaṇa (modern Veraval)[78]. Settuñjaya or Śatruñjaya[79] (also known as Puṇḍarīka ; near Pālitana) and Vallabhī (modern Wala, district Bhavnagar) were other important places in this region. The final redaction of the Jain Canonical literature had taken place at Vallabhī in the 6th century A.D. under the presidentship of Devardhigaṇi Kṣamāśramaṇa.

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[65] *Bhagavatī* 13. 6
[66] *Uttarā. Ṭīkā.*, 18, p. 253 ff
[67] *Bṛh. Bhā.* 1.943
[68] *Niśī. Cū., Pīṭhikā* 60
[69] *ibid*, 2. p. 129 (mss)
[70] *Das. Cū.*, 1, p. 40
[71] *Mahābhārata*, Sabhā. 14.53
[72] p. 77
[73] *Jñātṛdharmakathā*, 5, p. 68
[74] *Bṛh. Bhā. Vṛ.* 1.2922
[75] *ibid*, 1.3192
[76] *Anuttarovavāiya*, 130, p. 137
[77] *Vasudevahiṇḍī*, p. 77
[78] *Niśī. Cū., Pīṭhika*, p. 69

The study of the following Gujerati words show the influence of Prakrit on Gujerati language. Mostly these words are found in the commentary literature of the Jain Canons. *Ukarḍi* (*Ukkuraḍa* in P., heap of dirt), *khaḍīsākhar* (*khaṇḍasakkarā* in P., candy), *kukaḍi* (*kukkaḍi* in P., hen), *ḍāvo* (*ḍabba* in P., left), *ḍoyo* (*ḍoya* in P., wooden handle), *duṅgar* (*dogara* in P., mountain), *bīya* (*bīya* in P., seed), *jūnā* (*juṇṇa* in P., old), *usāvan* (*avasāvaṇa* in P., curry), *cepo* (*cippaka* in P., to pound), *cāḍun* (*caḍuga* in P., oil pot) *raḍavun* (*raḍaṇa* in P., to cry), *panti* (the same in P., row) and many others[80].

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[79] *Jñātṛdharma*, 16, p. 200

[80] See Jagdishchandra Jain's *Jain Agam Sahitya Men Bhartiya Samaj*, App. 3

SOME ASPECTS OF PRAKRIT VERSES IN ALAṀKĀRA WORKS

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Mention of Prakrit Literature in Alaṁkāra Works

Bhāmaha[1] speaks of three literatures: Sanskrit, Prakrit and Apabhraṁśa. Dannḍī[2] speaks of four by adding Miśra to Bhāmaha's list. Rudraṭa[3] alludes to six: 1. Prakrit, 2. Sanskrit, 3. Māgadhī, 4. Paiśācī, 5. Sūrasenī (=Śaurasenī) and 6. Apabhraṁśa. Rudraṭa[4] quotes some of his own Prakrit verses in his *Kāvyālaṁkāra.* It is Ānandavardhana[5] who, for the first time sets the tradition of freely quoting Prakrit verses. He quotes some 45, a few of his own composition and others from well-known works, to illustrate various types of Dhvani, Alaṁkāras, etc. Abhinavagupta, his celebrated commentator follows his lead in his *Locana.* Dhanika, the well-known commentator of *Daśarūpaka* quotes some 26 Prakrit verses in his *Avaloka.* The distinction of quoting hundreds of Prakrit verses in, his *Sarasvatīkaṇṭhābharaṇa* and *Śṛngāraprakāśa,*[6] however, goes to Bhoja. The first work

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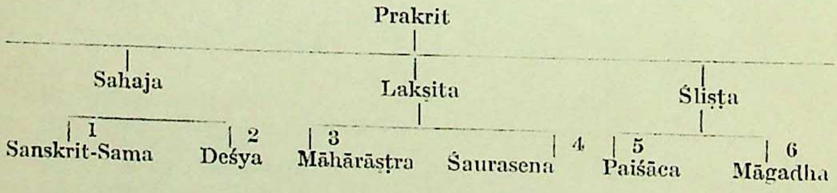
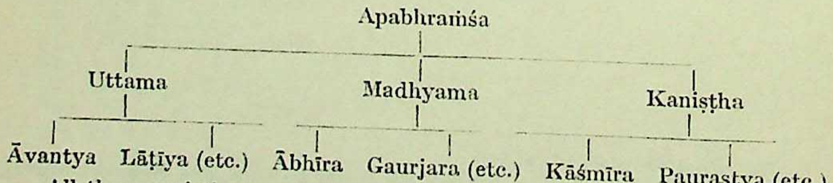
1. Kāvyālaṁkāra I.16.
2. Kāvyādarśa I.32.
3. Kāvyālaṁkāra II. 11-12.
4. Kāvyālaṁkāra IV. 11-15, 17-21.
5. Dhvanyāloka.
6. Bhoja's classification of Prakrit and Apabhraṁśa languages is unique. It may be shown in a tabular form as follows :—


Prakrit
Sahaja
Lakṣita
Śliṣṭa
1
Sanskrit-Sama
2
Deśya
3
Māhārāṣṭra
4
Śaurasena
5
Paiśāca
6
Māgadha


Apabhraṁśa
Uttama
Madhyama
Kaniṣṭha
Āvantya
Lāṭīya (etc.)
Ābhīra
Gaurjara (etc.)
Kāśmīra
Paurastya (etc.)

All these varieties are duly illustrated.

contains over 350 verses. Seventeen[7] of the thirty-six Prakāśas of the second work that are brought to light, contain over 440 Prakrit verses. Among other reputed Ālaṁkārikas, we find Kuntaka, Mahimabhaṭṭa, Mammaṭa, Ruyyaka, and his commentator, Jayaratha, Hemacandra, Śobhākara and Viśvanātha quote 15, 28, 64, 15, 38, 80, 163, and 23 Prakrit verses respectively. Some of these are reproduced from *Dhvanyāloka* and *Locana*. A large number of verses cited by Bhoja in his two treatises are repetitions.

No Separate Work on Prakrit poetics

The Prakrit citations in such a large number in Sanskrit works on poetics calls for an explanation which is not far to seek. Notwithstanding the difference in language the Ālaṁkārikas made no difference between Sanskrit and Prakrit literatures. They appreciated both. Some of them wrote in both. The norms laid down in their works were equally applicable to both and, indeed, till recently to literatures even in our modern languages. Even a scholar like Hemacandra, who has to his credit books on Prakrit grammar and prosody did not feel the necessity of preparing a treatise on Prakrit poetics. The fact, however, remains that the Sanskrit critical thought took little or no note of some of the interesting and peculiar aspects of the vast and varied Prakrit literature. The Ālaṁkārikas, generally speaking, contented themselves merely with quoting Prakrit passages for illustrative purposes or alluding to certain works for illustrating types of composition.

Corrupt Text :—

The Prakrit text of many verses, is, in many places, corrupt or shows small or big gaps and in some cases it is so hopelessly corrupt that it becomes unintelligible. In many cases the exact context from which they are drawn is not known and consequently they remain obscure. As the Prakrit text is carelessly transcribed in the Manuscripts, it falls to the editors of these works to present these Prakrit verses as correctly as possible, by tracing them to their sources or by referring to other works on Alaṁkāra, Grammar or Prosody wherever they are quoted. One must concede, however, that in spite of the best of efforts on the part of editiors some verses still remain obscure, as their sources are irrevocably lost and they are not cited elsewhere. Dr. Weber has edited about 35 Gāthās

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7. (*i*) Śṛṅgāra—Prakāśa : Chs. 22, 23 and 24, ed. by Shri Yadugiri Swami of Melkote, 1926.
(*ii*) Śṛṅgāraprakāśa, first eight chapters, Mysore, 1955 and,
(*iii*) Śṛṅgāraprakāśa, Prakāśas 9-14, Mysore, 1963 ed. by G. R. Josyer.

from the works on Sanskrit poetics and incorporated them, by way of an Appendix., in his critical edition of *Gāthāsaptaśatī*: *Uber dap Sapta Satakam des Hala.* Dr. A. M. Ghatage has corrected some six Prakrit verses in the footnotes to his article on Māhārāṣṭrī Language and Literature. Dr. A. N. Upadhye has corrected one very obscure Apabhraṁśa verse from Dhanika's *Avaloka* on *Daśarūpaka* which correction is incorporated by T. Venkatacharya* in his paper entitled 'An Appraisal of the Hindi Daśarūpaka' in Journal, University of Gauhati XI : Arts. A considerable number of Prakrit verses I could correct by tracing them to their sources or through comparisons. A few of them are referred to here.

The passage "Apape . . . . . .anurāo" in Śṛṅgāraprakāśa Vol. I, p. 120 has been considered very corrupt. The significant, word 'Aṇurāo' and the word 'Āśvāsaka' following this passage in the text led me to seek the source of these two verses in Setubandha and I succeded in tracing the two verses as Setubandha IX. 1 and IX. 96 respectively.

The passage "Devaḍiti luṇāhi . . . . .gumarīphellaparaṇya" (?) in *Locana* on Dhvanyāloka I. 16 has been considered extremely corrupt and absolutely unintelligible. The commentator "Bālapriyākāra" confesses his inability to restore the original passage. I came across a corresponding passage in *Abhinavabhāratī* (Vol. I, Ch. VI, p. 305) which reads "Vardhate' luṇāhi . . . . .Landhā". This too is absolutely corrupt. Pariśiṣṭaṁ ।१। to the Volume (p. 383) notes : Dhvanyālokalocanasya tālapatradarśe . . . . .

"Paluddisi . . . .dolvapaiṭṭhā (?)" This, too, proved of little use in tracing the original verse. Someśvara's *Saṅketa* on Kāvyaprakāśa (II—14, p. 24) quotes part of the relevant passage from *Locana* wherein the Apabhraṁśa verse occurs and correctly presents one half of the verse : "Lāvaṇṇujjilaṅgu ghari ḍhollu paiṭṭhā". The whole verse, however, is for the first time cited correctly in Kalpa-latāviveka (p. 123, ll 26-27) as follows :—

Dīvaḍi tellu ṇāhi palu drammi gamiṭṭhā ।
Lāvaṇṇujjalaṅgu ghari Ḍhollu paiṭṭhā ।।

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* For a correct presentation of this Apabhraṁśa verse with its Sanskrit Ghāyā and interpretation, however, the reader is referred to his edition of the Daśarūpaka with the commentary Avaloka by Dhanika and the sub-commentary Laghuṭīkā by Bhaṭṭa Nṛsiṁha (Intoduction: pp xl-xlix, text : pp 197-199 Notes : pp 296-297),

(Sanskrit Chāyā :

Dīpake tailaṁ nāsti palaṁ dramaṁ gaveṣitaṁ ।
Lāvaṇyojjvalaṅgo gṛhe priyatamaḥ praviṣṭaḥ ॥)

One more passage from *Locana* may be cited here in this connection. Locana (p. 176) reads :—

" Osuru Sumṭhi . . . . . .teṇa ॥"

The text of the first quarter of this Apabhraṁśa verse is obviously corrupt. Kalpalatāviveka (p. 127, 1.17) records the pratīka of this verse as " Usurusuṁbhiyāe ". Deśīnāmamālā explains " Usuṁbhiyaṁ tathā Usurusuṁbhiyaṁ ruddhagalaṁ rodanaṁ ". In the light of these two relevant and useful suggestions the verse could be restored as :—

Usurusuṁbhiyāe muhu cumbiü jeṇa ।
Amiarasaghoṇṭaṇu padijāṇiü teṇa ॥

(Sanskrit Chāyā :

Ruddhagalaṁ rudatyāḥ mukhaṁ cumbitaṁ yena ।
Amṛtarasaghoṭanaṁ parijñātaṁ tena ॥)

A part of the Chāyā given by the commentator, viz., ' Īrṣyāśruśobhitāyā ' is inaccurate.

Lost Prakrit Works

My efforts to trace the Prakrit verses to their sources have met with partial success. Many verses still remain untraced. This is mainly due to the loss[8] of some source books, like Sarvasena's *Harivijaya*, *Rāvanavijaya*, Ānandavardhana's *Viṣamabāṇalīlā*, Vākpati's *Madhumathavijaya*, Caturmukha's *Abdhimathana*, *Māricavadha*, etc.

Available Prakrit Sources

Dr. Raghavan observes in his Magnum opus (Bhoja's Śṛṇgāraprakāśa, p. 822) : " Almost all the Gāthās of the *Saptaśatī* seem to be quoted by him and a considerable number of the Gāthās of the Līlāvatī also seem to be quoted in the Śr. Pra." *Gāthāsaptaśatī* is immensely popular with the Ālaṁkārikas as most of them from Ānandavardhana onwards quote it. Bhoja amongst them all quotes it profusely. As I have not been able to secure the unpublished Prakāśas of *Śṛṅgāraprakāśa*, I could not verify if Bhoja' has quoted ' a considerable number of the Gāthās from the Līlāvatī.

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[8] Dr. A. M. Ghatge : Māhārāṣṭrī Language and Literature (pp. 19:71) in the Journal of the University of Bombay, Vol. IV (Part 6), May-1936.

Dr. V. Raghavan : Bhoja's Ś ṛṅgāraprakāśa, (pp. 818-825).

I came across a single quotation from *Līlāvatī*[9] in the published Prakāśas. Next in popularity stands Pravarasena's *Setubandha*, also styled *Rāvaṇavaho*. Among other works drawn on are: *Vajjālaggaṁ*, *Gaüḍavaho*, *Karpūramañjarī*, and *Bālarāmāyaṇa*. A few stray verses are cited which are the composition of Dhanika,[10] Bhaṭṭendurāja,[11] and Abhinavagupta.[12] It is difficult to say whether these verses are Muktakas or cited from some Prakrit works which are now lost.

Principal theme and Governing sentiments

Some of the verses contain maxims and popular sayings; some, especially from *Setubandha* deal with nature and heroism. A majority of them, however, deal with love and the contents of these verses are highly erotic. This preference for the theme of love and the sentiment of eroticism should be easy to understand on psychological grounds: Love[13] is the most dominant of all feelings, and is easily within the experience of one and all. The erotic[14] sentiment is the most charming of all sentiments and because of its tremendous popularity is regarded the prince of all sentiments. Ānandavardhana was fully conversant with human psychology, so well expressed by Bhāmaha:—

Svādukāvyarasonmiśraṁ Śāstramapyupayuñjate ।
Prathamālīḍhamadhavaḥ[15] pibanti kaṭu bheṣajaṁ ।।

He, therefore, almost laid it down as a theory[16] that with a view to winning the attention of people or investing the work with charm, other Rasas, although opposed to the erotic sentiment, should be touched up with it—for it has the power to delight the minds of one and all. Unless instruction in Śāstras is alloyed with erotic sentiment, it does not become appealing to popular taste.

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[9] Līlāvaī ed. by Dr. A. N. Upadhye, Bhāratīya Vidyā Bhavan, Bombay (1949). Prakāśa XXII.38 (p.9) reads: अच्छीहिं चिअ सा . . . . The editor adds a footnote as अस्फुटा गाथा. This gathā is the same as Līlāvaī (v.1258).

[10] Avaloka, p. 52, p. 54,

[11] Locana, p. 499.

[12] Locana p. 535.

[13] तत्र कामस्य सकलजातिसुलभतयात्यन्तपरिचितत्वेन सर्वान् प्रति हृद्यता ।
Abhinavabhāratī, Vol. I, p. 267.
भावान्तरेभ्यःसर्वेभ्यो रतिभावः प्रकृष्यते ।
Śṛṅgāraprakāśa XIII, p. 565.

[14] शृङ्गाररसो हि संसारिणां नियमेनानुभवविषयत्वात् सर्वरसेभ्यः कमनीयतया प्रधानभूतः ।
—Dhvanyāloka III, p. 397.

[15] Cf. the famous Guḍajīhvikā—nyāya—'The maxim of the tongue (smeared) with treacle'.

[16] विनेयानुन्मुखीकर्तुं काव्यशोभार्थमेव वा ।
तद्विरुद्धरसस्पर्शस्तदङ्गानां न दुष्यति ।।
—Dhvanyāloka, III.30.

He quotes an example where the Śānta sentiment which is predominant is touched up by the sentiment of Śṛngāra though the two are, obviously, not complimentary to each other. Keeping in mind this aspect of human psychology Ānandavardhana chose to illustrate the various points in Alaṁkāra Śāstra with the help of erotic examples ; and his lead is enthusiastically followed by later Ālaṁkārikas.

Are Prakrit Verses Obscene?

In some quarters it is alleged that the Ālaṁkārikas cite Prakrit verses, which are full of obscenity and which glorify illicit love, as illustrations because the obscenity remains hidden under the garb of the Prakrit language. This allegation deserves consideration. In the classical period there was no compartmentalisation or bifurcation of studies into Sanskrit and Prakrit. The long standing practice of writing dramas in Sanskrit and Prakrit will easily bear this statement out. Again, men like Ānandavardhana could write both in Sanskrit and Prakrit. Eminent Sanskrit writers like Daṇḍī Bāṇa Kuntaka have paid ungrudgingly and unreservedly handsome tributes to Sātavāhana and Pravarsana for their Prakrit works. This fact corroborates the statement that there was integration of Sanskrit and Prakrit Studies. Naturally, the Ālaṁkārikas appreciated first-rate Prakrit works and freely drew upon them for illustrations in their Alaṁkāra works. It is, therefore, nothing but an insult to these Ālaṁkarikas to allege that they quoted Prakrit verses with an ulterior motive.

Now let us examine the charge of obscenity against the Prakrit verses. Traditionally, poetry has been condemned on three grounds (*i*) it is full of lies (*ii*) it offers wrong advice and encourages immorality and (*iii*) it is full of obscenity. These objections have been refuted by Rājaśekhara in his Kāvyamīmāṁsā[18]. His defence of obscenity in literature is, however, not very convincing. To say "Because the Vedas and the Śāstras contain obscene matter one should not take exception to obscenity in literature" is not at all logical.

[17] सत्यं मनोरमा रामाः सत्यं रम्या विभूतयः ।
किन्तु मत्ताङ्गनापाङ्गभङ्गलोलं जीवितम् ।।
—Dhvanyaloka III. 30-31.

[18] Kāvyamīmāṁsā (GOS edition, 1934) Ch. VI, pp. 24-28.

The Ālaṅkārikas have defined in their works what constitutes the fault of obscenity. Use of words which give rise to feelings of shame, of disgust or convey the sense of inauspiciousness—such words are taboo in cultured and polite society—is condemned by them as obscene. They have, with their sharp intellect, recorded and denounced as obscene even particular combination of letters giving rise to words meaning the names of the private parts of the human body. So there is no question of defending obscenity.

These Prakrit verses fall into two groups : Those which are highly erotic and those which portray illicit or clandestine or adulterous love. We must clearly distinguish between the erotic and the obscene. The writings of great poets, both Sanskrit and Prakrit, are highly erotic and artistic. To brand them obscene, as impatient critics of Prakrit verses do, would mean putting these great works out of the reach of the sensitive Sahṛdayas. We must not be carried away by highly erotic descriptions and mistake the highly erotic for the obscene.

Indian tradition treats the joys of love and the relations between the two sexes in a frank manner. The explanation for the citing of the second group of verses could be given as follows : "[19]The height of pure love is said to exist in relations with other

[19] (*i*) सुलभामवमन्यते दुर्लभामाकाङ्क्षत इति प्रायोवादः ।

—Kāmasūtra 5.1.40.

(*ii*) यद्वामाभिनिवेशित्वं यतश्च विनिवार्यते ।
दुर्लभत्वं यतो नार्याः कामिनः सा परा रतिः ॥

—Nāṭyaśāstra XXII. 207.

(*iii*) तत् खलु सुरतं सुरतं कृच्छ्रप्राप्यं यदन्यनारीषु ।

—Kuṭṭanīmata, v. 812, cd.

(*iv*) परस्त्रीगमनोपायः कविभिर्नोपदिश्यते ।
सुन्दरं किंतु काव्याङ्गमेतत्तेन निदर्श्यते ॥
वामता दुर्लभत्वं च स्त्रीणां या च निवारणा ।
तदेव पञ्चबाणस्य मन्ये परमायुधम् ॥

—Rudraṭa : Śṛṅgāratilaka II.29-30.

(*v*) यत्र निषेधविशेषः सुदुर्लभत्वं च यन्मृगाक्षीणाम् ।
तत्रैव नागराणां निर्भरमासज्यते हृदयम् ।

—Viṣṇugupta Saṁhitā.

(*vi*) शुद्धस्नेहनिबन्धा परवधूः पुण्यैः परैः प्राप्यते ।

Subhāṣitavali

(*vii*) स्वदारादौ हि धर्मस्याप्यनुप्रवेशेन केवलस्यैव कामस्य फलहेतुभावो न स्यात् ।

Nāṭya-darpaṇa

men's wives or unmarried girls." Naturally, poets, Sanskrit, as well as Prakrit, composed verses portraying '*Caurya-rata*, and the Ālaṁkārikas quoted such verses as specimens of Dhvanikāvya refusing to be impressed by considerations of morality. This explanation may be restated in modern language in a slightly different way thus :—

Sanskrit Ālaṁkārikas show a very sensitive understanding of the aestheitcs. Their approach to it is strictly a-moral. What they object to is not immorality but whatever is bad in aesthetic taste. To their minds eroticism was not bad in taste ; aesthetically it was most appealing to them.

It seems in later years aesthetics and ethics came to be confused and what was purely aesthetic came to be condemned as unethical. However, it must be said to the credit of the Ālaṁkārikas that their analytical minds made a subtle distinction between the good and the bad taste and between the aesthetic and the ethic. We must not forget the fact that they were primarly the students of language and as such concentrated on the study of the language patterns in poetry ; they seem to have highly disciplined minds. When they quote an erotic verse as an illustration of a certain point in poetics they dwell precisely on that aspect of the verse. It is interesting to note that their minds do not care to notice the sensations such verses might produce in ethical contexts.

Finally, we must not lose sight of the great truth so beautifully expressed by[20] Dhanam̃jaya :

"There is nothing in this world a poetic mind cannot appreciate —may it be beautiful or disgusting, great or mean, terrifying or pleasing, incomprehensible or perverse (? obvious) real or ficititious".

In other words, life in all its aspects has a place in literature. It is for the poet to present it in a beautiful form.

[20] रम्यं जुगुप्सितमुदारमथापि नीच––
मुग्रं प्रसादि गहनं विकृतं (? विवृतं) च वस्तु।
यद्वाप्यवस्तु कविभावकभाव्यमानं
तन्नास्ति यन्न रसभावमुपैति लोके ।।

—Daśarūpaka IV.85.

NĀYAS IN THE NĀYĀDHAMMAKAHĀO*

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THE Nāyādhammakahāo occupies a prominent place in the Jain Canonical literature as it is the part of the Dvādaśa aṅgas, the Veda of the Jainas[1]. This aṅga consists of nāyas and dhammakahās as its title suggests. Abhayadeva, the commentator says नायाणि त्ति ज्ञातानि उदाहरणानि इति प्रथमश्रुतस्कन्धः धम्मकहाओ त्ति धर्मप्रधानाः इति . . . The first part is of illustrative stories and the second one consists of religious stories. In the text we get a reference to नायाधम्मकहाणं[2] and नायाणि य धम्मकहाओ[3] and these references would explain the title of the book as mentioned above. Moreover the book is also known as णाहधम्मकहा or णाणधम्मकहा or ज्ञातृधर्मकथा. The book consists of nāyas along with religious stories or it consists of religious stories etc. by the ज्ञातृपुत्र महावीर[1]. Whatever the meaning we may accept, one fact is certain that this book consists of various nāyas and current stories which have been used by the author in effective manner to emphasise some moral principles like restraint, charity, ardent devotion etc. Let us take into account the meaning of the word nāya before we study nāyas in the nāyādhammakahāo. The Prākrit word nāya or ṇāya means ज्ञात, उदाहरण, दृष्टान्त[5]. Its Sanskrit rendering ज्ञात does not suggest such meaning as उदाहरण or दृष्टान्त, it simply means known, ascertained, understood, learnt or comprehended[6], however ज्ञातधर्मकथाs may suggest the sense viz. the known religious stories serving as the examples or illustrations in bringing out some moral. Thus we look upon 'nāya' as illustration or parable or analogy[7]. It is a well known fact that parables hold a recognised place in the world literature and all languages are replete with parables, fables and illustrative stories. We may note down some views on parables. (*a*) A parable is a form of illustration in all folk literature, especially semitic, a parable pure in form offers a single point of comparison between an abstract declaration or demand and vivid story or situation. A true prable is self explanatory[8]. (*b*) The word parable (to place along side) implies comparison, the placing of one thing along side of another. When a comparison is simple it is called a simile. Aristotle discusses examples, parable and fable as 'means of persuasion.' The general purpose is illustrating or proving an argument. There is frequently distinctively a didactic purpose so that the parable contains positive teaching. Julicher claims that a parable has properly but one idea, it must illustrate but one thought. It is true that the main purpose of a parable is to convey one general idea, sub-ordinate ideas may be suggested[9].

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* This article has been read at All India Oriental Conference held at Varanasi in October 1968.

[1] दुवालसंगं वा प्रवचनं वेदो . . . आचारांगचूर्णी. 5-185.

[2] See Nāyādhammakahāo edited by N. V. Vaidya. p. 2.

[3] *ibid.*

[4] See History of Indian Literature by Winternitz. Vol. II.

[5] The word nāya is rendered into Sanskrit as ज्ञात. See P.S.M.

[6] See Apte's Sanskrit. English Dictionary. ज्ञात is the P.P.P. of $\sqrt{\text{ज्ञा}}$ — To know, to learn. etc.

[7] Nāya may be better understood by its equivalent word in Sanskrit viz. nyāya and it is quite befitting to the contents of the Nāyādhammakahāo.

With this view in mind we may examine nāyas or parables in the nāyādhammakahāo. As mentioned in the book itself, there are nineteen nāyas[10] such as उक्खित्त, संघाड, अंड, कुम्म, सेलग, तुंब, रोहिणी, मल्ली, मायंदी, चंदिमा, दावद्दव, उदग, मंडुक्क, तेयली, नंदीफल, अवरकंका, आइन्न, सुंसुमा, पुंडरीअ. When we read the contents of these nineteen nāyas in the first part of the nāyādhammakahāo we find that some of them are stories and some of them are दृष्टान्तs through which conditions of the soul, heaviness or lightness of the soul, or waxing and waning conditions of the soul, importance of observance of five vows by the monks etc. are brought to the notice of the followers of Jainism in particular and of other people in general very effectively. We may divide the nāyas as follows :—

(1) Pure stories : Mehakumāra, Vijaya thief, Selaka king, Rohiṇī Mallī, Mākaṇdi putta, Maṇḍukka, Teyalī, Nandīphala, Avarakaṅkā city (Dovaī's story) Sumsumā, Puṇḍarīa,[11] which present moral virtues through medium of stories of all sorts of people from the king to the thief.

(2) Various examples from the nature and the animal world around which stories are woven for the same purpose viz. giving some moral teaching-aṇḍaka, kumma. tuṁba, candamā, dāvaddava, udaga, āinna[12].

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[8] Vide Encyclopaedia of Britannica Vol. 17 p. 247.

[9] See Encylopaedia of Religion and Ethics. Vol. IX pp. 628-632.

[10] Nāyādhammakahāo edited by N. V. Vaidya Chapter I p. 2.

[11] Chapters 1, 2, 5, 7, 8, 9, 13, 14, 15, 16, 18, 19 = 12.

[12] Chapters 3, 4, 6, 10, 11, 12, 17 = 7 āinna is a deśya word according to P.S.M. meaning जात्याश्व — a horse of good breed.

From their contents it appears that though each of the nāyas is supposed to teach one virtue or the other which is mentioned at the end of the chapter, many a time the moral is not stated and the commentator tries to suggest some moral therein. For example in the chapters, 1, 8, 12, 13, 14, 16, no moral in explicit words is stated as found in all other chapters of the first part of this book.

Coming to pure stories illustrated in the nāyādhammakahāo as nāyas we find that persons are drawn from all walks of life and parables are constructed, around them showing their some pitfalls such as carelessness, slight deceit, self pride, sinful resolution etc. on account of which they have to suffer in this life and hereafter. We may refer to some such persons. King Śailaka, though addicted to wine, was brought round when he strived in self control and became an ardent devotee[13]. The moral drawn is ' even those who may neglect self control etc. become later on ardent devotees as in the case of king Śailaka. In Rohiṇī nāya, importance of observing five vows in the best possible manner is emphasised through the story of 4 daughters-in-law of a merchant-Ujjhitā, Bhogavatī, Rakṣitā and Rohiṇī who are true to their names in quality and conduct.[14]... All these daughters-in-law represent souls desirous of emancipation but all are not intent on achieving their goal, some, after accepting the vows, neglect them due to infatuation like Ujjhitā who is careless and does not preserve the grains given by her father-in-law. Another type is that of Bhogavatī who ate the grains of rice and as such she was retributed with miseries. Rakṣitā represents the third class which protects grains (vows) wihtout negligence and obtains pleasures. Rohiṇī is symbol of the class of good monks who follow vows in the best possible manner and impart them to others and later on become emancipated. This division of human beings as mentioned here shows the author's insight in human conduct and psychology and it can be seen even today.

Even the slightest deceit practised with reference to religion makes the soul suffer. Mallī in her former birth as Mahābala had performed such actions that qualified her for being born as a Tīrthaṅkara but was guilty of māyā which caused her to be born as a woman[15]. This suggests the absolute care and perfection to be practised with reference to religious vows and it is the very basis of emancipation.

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13. Nāyā. Chapter V.
14. Nāyā Chapter VII
15. Nāyā chapter VIII.

The parable of the sailers Jinapālita and Jinarakṣita speaks as to how one who was desirous of pleasures was deceived and as to how one who was detached to pleasures, was saved and how he went home without troubles[16]. Sinful resolution for material pleasure makes severe austerities vitiated as in case of Draupadī whose penance was wasted in her birth as Sukumārikā and a donation of a bad gift to a worthy person leads a man to evil state just as a gift of the bitter gourd given to Dharmaruci by Nāgaśrī (Draupadī's previous birth), proved disastrous to her[17]. The aṇḍaka nāya narrates the story of the sons of Sāgaradatta and Jinadatta who took eggs of pea-hen. The son of Sāgaradatta became suspicious and turned the egg etc. and ultimately it brought forth nothing, while the son of Jinadatta with faith preserved it properly and ultimately a young one was born out of it[18]. Absolute faith will lead to emancipation. In Kummanāya, tortoises represent monks, jackals passions, neck and 4 feet 5 senses, stretching out feet is the inclination to sensual pleasures, hiding feet etc. means control over senses. This is a very fine illustration[19].

In order to show the light or heavy condition of soul as well its waxing and waning condition, illustration of gourd with 8 layers of earth[20] and illustration of the moon[21] waxing and waning in the first and the 2nd fortnight respectively, are given. In the same manner with the illustrations of dāvaddava—a kind of tree[22], udaka—water[23], āinna-horse[24] many virtues are brought to the notice of monks.

Thus this brief summary of certain nāyas, will reveal the following facts. (*a*) There are many stories of all sorts of people from the king to the thief, from the merchant to monks and nuns etc. These parables reveal the insight of the Jain authors in human psychology. This is the human world. They also throw light on morals of the day.

(*b*) Some illustrations like tuṁba, udaga, dāvaddava, candimā, nandīphala, are drawn from nature world. It was the effort on the part of the authors to show perfect balance between the human life and nature—the very harmony will be useful to monks and nuns alike to tread the path of liberation.

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[16] Nāyā Chapter IX.
[17] Nāyā Chapter XVI.
[18] Nāyā Chapter III
[19] Nāyā Chapter IV
[20] Nāyā Chapter VI.
[21] Nāyā Chapter X.
[22] Nāyā Chapter XI.
[23] Nāyā Chapter XII.

(*c*) Some illustrations are taken from animal world such as lower creatures like tortoises jackals, eggs of pea-hens and horses, etc.

The purpose of all the nāyas is the same viz. to teach some moral lessons or virtues, thereby suggesting fundamental doctrines of Jainism such as karma theory, 5 major and minor vows, Jiva's good or bad ; heavy or light condition etc. Moreover such parables glorify certain persons like Mehakumāra, Sailaka, Puṇḍarīya, Dovaī and in a way thus make an addition to the legends.

These nāyas in the nāyadhammakahāo will also explain the title of the book viz. the book consisting of parables and religious stories.

Jain literature is filled with such narrative works which are the effective means to preech Jain philosophy. Such a method is not common to the Jains but we may find such sort of literature among the Hindus, Christians and other faiths. Aesop's tales, Hindu Purāṇas, pañcatantra, Hitopdeśa can be classed in this list. Jesus Christ was considered as the master of Parables[25]. Jain writers too are the masters of parables. These nāyas satisfy all the requirements of parables as already discussed[26] before.

Regarding the origin of these parables in the nāyādhammakahāo, nothing can be said. However some religious stories might have Jain base[27], some might have been taken from other faiths. For examples—the story of Dovaī is found in Hindu Purāṇas ; and illustrations from nature and animal world might have been taken from the current folklore floated from time to time. All these parables have been given the touch of Jainism and they do not loose their charm in spite of lapse of time. They are equally interesting to all persons of all ages. Such is the greatness of such parables.

Parables are the rich heritage of literature and nāyas in the Nāyādhammakahāo are really a contribution to Indian Litereature in particular and the world literature in general.

24. Nāyā Chapter XVII.
25. E. R. Ethics. Vol. IX p. 629.
26. For details see E.R.E. Vol. IX 628-632.
27. For example, story of Mallī, Mehakumāra.

DERIVATION IN GUJARATI LANGUAGE

Mrs. U. G. Desai

THIS study is mainly based on Gujarati-tadbhav-words. Sanskrit and foreign loan words are excluded. It is restricted to the modern state of Gujarati Language. This study is also confined to the standard Gujarati language. The various speech forms of regional dialects are not taken into consideration. This is purely descriptive study and does not take into consideration the historical factors.

Morphology includes the study of following two things: Derivation and Inflection. In Gujarati Language too derivation plays an important role. It is called word-formation in Gujarati Grammar.

Derivation and inflection both are formed by the process of affixation. An affix is not an independent unit but a part of more complex form. While doing mutual comparison of words we find many words in which there are more than one meaningful units. e.g. ‘ bənawəṭ, piḷaš, ḍholi ; əṇgəmtũ, bhai̯bhaṇḍu, vənwas, paṇipočũ ’ . . . etc.

In some words certain parts are principal and certain are subordinate ; while in others both the units are principal.

In the above given examples, there are parts like “ bən-, aw-, -ṭ, piḷ-, -aš, ḍhol-, -i, əṇ-, gəm-, -t-, -ũ, bhai̯-, bhaṇḍu, vən-, -vas, paṇi-, -poč, -ũ . . ” Among these parts “ bən-, piḷ-, ḍhol-, gəm-, bhai̯-, bhaṇḍu, vən-, -vas, paṇi-, poč- ” are the principal parts, while “ -aw-, -ṭ, -aš, -i, əṇ-, -t-, -ũ, ” are subordinate.

In such words, principal and subordinate parts are determined partially semantically, partially structurally and partially relatively. In complex forms the meaning of one part can be considered as central and other part can be considered as one which changes the meaning of the central part. And in this way the central part is principal one and other is subordinate. Subordinate part is smaller than the principal one. Mostly they are monosyllabic. A principal part can be free or bound. A subordinate part is generally bound in languages like Gujarati, Marathi etc.

The minimal unit of principal part is called root. That which is non-root, bound, meaningful part of an utternace is called an affix. The part to which an affix can be added is called stem.

In above given examples, " bən-, piḷ-, ḍhol-, gəm- " are stems and " -aw-, -ṭ, -aš, -i, əṇ-, -t-, ũ " are affixes.

There are two types of affixes : Inflective and derivative. No other affixes can be added to a form which is derived by the inflective affixes.

e.g. mər + -ṇ > mərəṇ
mərəṇ + -iy-(gm)* > mərəṇiyo
mərəṇ -iyo + -e > mərəniyae

Here ' -ṇ, -iy- ' are derivative suffixes, because we can add other suffixes to such forms. But ' -e ' is an inflective suffix ; as we cannot add any suffix after this ' -e '.

The affixes which form participles are also derivative affixes, e.g. " kər + -t-(gm) (present participle) > kərto, kərti, kərtũ
aw + -el- (gm) > (past participle) > awelo, aweli, awelũ.
čal + -ine (gerund) > čaline."

We can add other suffixes to such forms. e.g. "kam kərtane koṇ roke? gəi̯ kale awelamãthi koṇ aǰe nəthi awyũ ?"

So these are derivative suffixes. The participles and verbal derivatives are formed from verbal stems but (1) they are of different categories. (2) Participles can be formed from each and every verbal stem, but affixes of verbal derivation (except -'nar') can occur only after certain verbal stems not after every stem. (3) Participles can be used as auxiliary verbs. e.g. "a pustək peli dukanmãthi lidhelũ čhe. te bolyo həto. hũ awi hoi̯ š". While verbal derivative affixes can never be used as auxiliary verbs. (4) Participles are non-finite forms and its category remains as verbal forms. e.g. " hũ ghoḍane ǰoũ̯ čhũ.

hũ ghoḍane ǰoine awũ čhũ.

hũ ghoḍane ǰoto ǰoto awũ čhũ ".

In these three sentences the relation of verbs and participles is with the same form 'ghoḍane'. It means that participles take special construction for verbs. The function of verbal derivative affixes can never be of this type. As participles and verbal derivation are of different categories, I have not included the study of participles under the heading of " Derivation ".

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* gm—Gender marker suffix

The affixes which are added to the verbal stems, before the verbal inflectional affixes like -'ǰ' -of impertaive, -'š'- of future tense, ' -a' - of passive and - ' aw '- of causal are also derivative affixes, according to the definition.

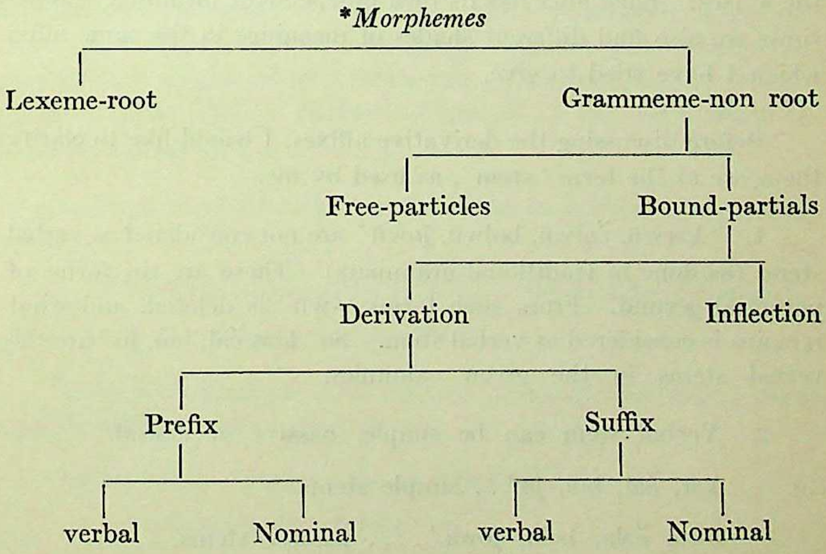
e.g. " kərše, kəršo
čălǰe, čalǰo
bolaw ; bolawǰo, bolawwũ,
ləkhayũ, čəlayũ . . . " etc.

But I have excluded them from this study because their category is of the verbal stem. The suffix for person, gender and number can occur after such suffixes ; but they can never occur after the derivative affixes. Therefore their category is not the same.

In Gujarati language derivative affixes are of two types on account of their different places. (*i*) Prefix : which occurs before the stem, e.g. " nəguṇo, kəput, əṇbənaw."

(*ii*) Suffix : which occurs after the stem, e.g. " čəḍti, kudko, piḷaš, bənawəṭ " . . . .

The status of derivation among Gujarati morphemes can be tabulated as under :—


*Morphemes
Lexeme-root
Grammeme-non root
Free-particles
Bound-partials
Derivation
Inflection
Prefix
Suffix
verbal
Nominal
verbal
Nominal

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* This classification is based on " Outline of General Theory of Structural Relation ' by Alphonse Juilland. P. 46.

The study of derivative affixes has been done according to the following aspects : (1) the structure of affixes, (2) the statement about the stems to which affixes are added, (3) the meaning of affixes, (4) the productivity of affixes.

The study is based on available examples of each affix.

The examples can be of two types.

1. Compound and 2. non-compound. The components of compound words can be used independently in the language or cannot be used as independently but always used in compound forms. e.g. ‘ ghalmel ’—not a single component can be used independently.

‘ awǰa ’—only ‘ aw ’ can be used as independently.

e.g. ‘ a nədimã paṇini aw sari čhe ’.

‘ bolčal ’—both the components can be used independently.

e.g. ‘ tari bənsina bol be vəgaḍi tũ ǰa ’.

‘ eni čal sari nəthi ’.

The order of affixes is given on the basis of the criteria of productivity. Here I have given few examples of each affix as a sample. The total number of examples is given while mentioning the affixes. Each affix has its own independent meaning. Sometimes we also find different shades of meanings in the same affix, which I have tried to give.

Before discussing the derivative affixes, I would like to clarify the sense of the term ‘ stem ’, as used by me.

1. ‘ kərwũ, čalwũ, bolwũ, ǰowũ ’ are not considered as verbal stems (as done in traditional grammars). These are the forms of potential gerund. From such forms ‘ -wũ ’ is deleted, and what remains is considered as verbal stem. So ‘ kər, čal, bol, ǰo ’ are the verbal stems in the given examples.

2. Verbal stem can be simple, passive or causal.

e.g. ‘ kər, čal, bol, ǰo ’ . . .simple stems.

‘ kəra, čəla, bola, ǰowa ’ . . . . passive stems.

‘ kəraw, čəlaw, bolaw, ǰowḍaw ’ . . . . causal stems.

3. Verbal and Nominal stems are of two types : Vowel ending and consonant ending. This consideration is based on pronunciation, not on wiriting.

e.g. ‘ rəm- ’ consonant ending (in writing ‘ rəmə ’)

‘ ǰəgət- ’ consonant ending (in writing ‘ ǰəgətə ’).

‘ kha ’-vowel ending.

‘ ǰo- ’ vowel ending.

4. Vowel ending and consonant ending stems are monosyllabic or polysyllabic.

e.g. ‘ rəm, kha, ǰo ’ . . . . monosyllabic.

‘ jəgət, ləṭək ’ . . .polysyllabic.

5. To determine the original stem, the syllabic pattern of Gujarati language is also taken into condieration.

e.g. ‘ ləṭək ’ : ‘ ləṭkaw ’.

Apparently it seems that there are two allomorphs ‘ ləṭək ~ ləṭk- ’ of one original stem. But according to the syllabic pattern of Gujarati Language ‘ ləṭək ’ is the original stem. In ‘ ləṭkaw ’ the second ‘ ə ’ of the stem is deleted as ‘ -aw ’ is added. (see the rule No. 3 of syllabic pattern of Gujarati Language of this article)

6. The stem which takes gender marker ‘ -o -i, -ũ ’ (for masculine, feminine and neuter respectively) are not considered as original stem. But after the deletion of gender marker, what remains is considered as original stem. Such stems are found in some words. e.g. in ‘ čhokro, čhokri, čhokrũ ’—‘ čhokər-’ is the stem, which is found in ‘ čhokərmət ’.

In ‘ moṭo, moṭi, moṭũ ’ ‘ -moṭ- ’ is the stem, which is found in ‘ moṭəp.’

7. Sometimes affixes occur after the oblique form of the stem.

e.g. ‘ naṇũ + -vəṭ-(gm) > naṇawəṭi ’

Derivative affixes are of two types. Some of them take gender marker suffixes, while others do not.

Gender marker suffixes are as following :

-‘ o ’- for masculine gender.

-‘ i ’- for femine gender.

‘ ũ ’— for neuter gender.

The gender of the forms which do not take gender marker suffixes is determined by the usage and convention, and expressed by the context.

Take for example the following pairs :

e.g.	" čhuṭ (f)	čhuṭi (f)
	mag (f)	magũ (n)
	čhəpaməṇ (n)	čhəpamṇi (f)
	čarəṇ (n)	čarṇo (m)
	gəṇtər (adj)	gəṇətri (f) "

Traditional grammar gives ' -ə: -i ', ' -ə : ũ ', ' -ṇ: -ṇi ', ' -ṇ : -ṇo ' ' tər : -təri ' as different suffixes respectively. But as mentioned earlier -' o ' ; -' i ' -' ũ ' are gender markers and the suffixes are the same in each pair.

viz. : ø suffix : ø -(-gm) suffix
ø ,, : ø -(-gm) ,,
-ṇ ,, : -ṇ- (-gm) ,,
-ṇ ,, : -ṇ- (-gm) ,,
tər ,, : -tər- (-gm) ,,

Some rules of the syllabic pattern of Gujarati Language to determine which is the stem and which is the affix, are listed below :

1. If a suffix, of only one consonant, occurs after the monosyllabic stems ending in consonant, then ' ə ' comes as connective.

e.g. " taw + -ṇ > tawəṇ
moṭ- + -p > moṭəp
rəm + -t > rəmət "

2. If a suffix, having one consonant, occurs after the diasyllabic consonant ending stems, -' ə ' comes as connective.

e.g. " vəhẽč + -ṇ > vəhẽčəṇ
əkḷaw + -ṇ > əkḷaməṇ "

3. If a monosyllabic suffix, beginning with a vowel occurs after the diasyllabic stems which have -' ə ' as second syllable, then -' ə ' of stem is deleted.

e.g. " notər + -ũ > notrũ
ačək + -o > ačko
surət + -i > surti
khəḍək + -aḷ > khəḍkaḷ
dhəbək + -ar > dhəbkar "

4. If a suffix having one consonant, occurs after the diasyllabic stems which have -ʻ ə ʼ as a second syllable, then this ʻ ə ʼ is deleted, and -ʻ ə ʼ comes as connective.

e.g. " goṭhəw + -ṇ > goṭhwəṇ
khiləw + -ṭ > khilwəṭ "

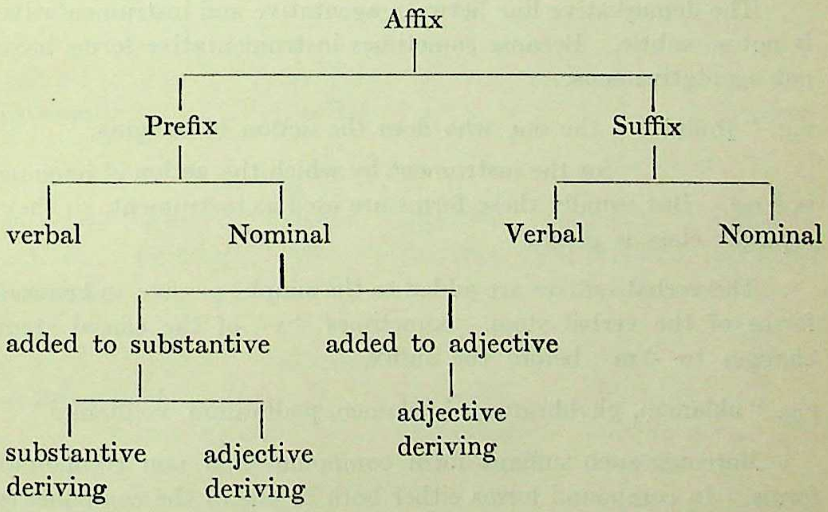
5. If a suffix having an initial vowel and which takes gender marker suffix occurs after the diasyllabic stems which have -ʻ ə ʼ as a second syllable, then this -ʻ ə ʼ is deleted.

e.g. " ukəḷ + -aṭo > ukḷaṭo
dhəbək + -aro > dhəbkaro "

6. If a suffix having an initial consonant and -ʻ ə ʼ as a first syllable and which takes gender marker suffix, occurs after the monosyllabic consonant ending stems, then -ʻ ə ʼ of suffix is deleted and -ʻ ə ʼ comes as connective.

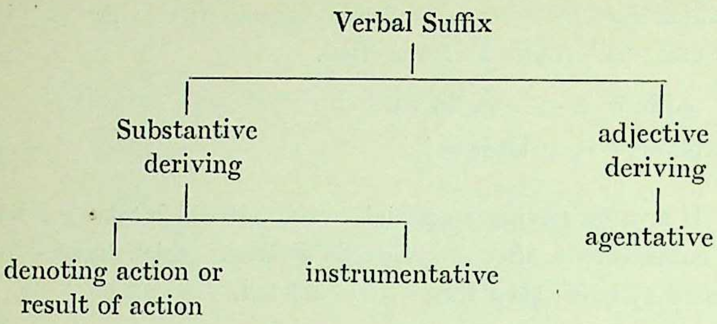
e.g. " gəṇ + -təri > gəṇətri
bəḷ + -təra > bəḷətra
ek + vəḍũ > ekəwḍũ "

The classification of Gujarati affixes can be tabulated as follows :—


Affix
Prefix
Suffix
verbal
Nominal
Verbal
Nominal
added to substantive
added to adjective
substantive deriving
adjective deriving
adjective deriving

The study of prefixes is not taken into consideration in this discussion.

The classification of verbal suffixes can be tabulated as under:



Verbal suffixes are added to verbal stems. The suffixes denoting action express the sense of the action or the result of the action of verbal stem. Some forms with -' ṇ ' and - ai̯ ' suffixes express the sense of wages or price paid for doing the action.

e.g. " gəḷaməṇ, čhəpaməṇ, bhəraməṇ, ghəḍai̯, čhəpai̯, dholai, silai̯ " etc.

-' ar ' suffix is generally added to onometopoetic stems.

e.g. " dhəmkar, ǰhəbkar, thəḍkar, ṭhəmkaro, bəčkaro " etc.,

Agentative suffixes express the meaning like the doer of the action, habit, nature, power, strength, willingness, the state of doing the action etc.

The forms with instrumentative suffixes are used as instrument.

The demarkative line between agentative and instrumentative is not so subtle. Because sometimes instrumentative forms have got agentative sense.

e.g. " ǰhulṇi "= the one who does the action of hanging.

or the instrument by which the action of hanging is done. But usually these forms are used as instrument, so their separate class is given.

The verbal suffixes are added to the simple, passive and causal forms of the verbal stem. Sometimes -' v ' of the causal stem changes to -' m ' before the suffix.

e.g. " əklaməṇ, ghəbhraməṇ, bhəlaməṇ, pədhramṇi, vədhamṇi."

Moreover such suffixes form compound and non compound forms. In compound forms either both or one of the components is verbal. e.g. čəḍtipəḍti (both the components are verbal)

pəgpesaro (one component is verbal).

With zero suffix we also get reduplicative forms in feminine gender. These reduplicative forms are formed by the addition of -‘ a ’ or -‘ əm ’ to the verbal stems.

e.g. “ ləḍ—ləḍaləḍ- addition of -‘ a ’
kud—kudəmkud—addition of -‘ əm ’.. ”

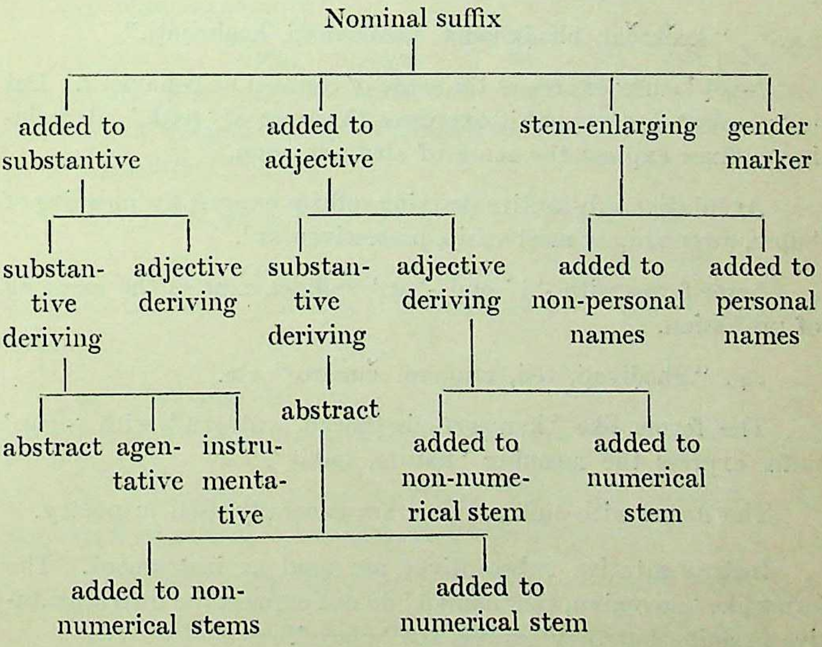
Moreover many reduplicative forms are formed without any sort of addition.

e.g. ‘ čalčal, bolbol ’ . . . such forms generally express the sense of non-continuous action. Such forms can be made out of each verbal stem, but all of them are not used in every-day speech.

In some forms suffixes are added after modification of the original stems.

e.g. ǰhuk > ǰhok + ∅ suffix = ǰhok
khuṭ > khoṭ + ∅ ,, = khoṭ
ǰhul > ǰhol + ∅ ,, = ǰhol
ǰhul > ǰhol + -o (mas. gen.) = ǰholo
tuṭ > toṭ + -o (mas. gen.) = toṭo
khəmav > khəmas + -ṇ- (gm) = khəmasṇũ
səməǰ > səmǰu + -t- -(gm) = səmǰuti
bes > beṭh + -k = beṭhək

The classification of nominal suffixes is tabulated below :—


Nominal suffix
added to substantive
added to adjective
stem-enlarging
gender marker
substantive deriving
adjective deriving
substantive deriving
adjective deriving
added to non-personal names
added to personal names
abstract
agentative
instrumentative
abstract
added to non-numerical stem
added to numerical stem
added to non-numerical stems
added to numerical stem

In this discussion, the nominal suffixes which are added to substantives and adjectives are taken into consideration, others do not.

Nominal suffixes are added to nominal stem. Nominal stems may end in constonant or vowel. If a suffix having an initial vowel occurs after the stem ending in vowel, then the last vowel of stem is deleted.

e.g. " devaḷũ + -iy-(gm) = devaḷiyo
čuno + -ar-(gm) = čunaro
boǰo + -il- (gm) = boǰilũ

In some forms suffixes are added to the oblique forms. e.g. " naṇawəṭi teḍagər, kə'yagərũ " etc.

In some forms suffixes are added after the modification of the original stem.

e.g. " kãsu > kəns- + -ar-(gm) = kənsaro
kənku > kənka + -vəṭ- (gm) = kənkawəṭi
lambũ > ləmb- + -aṇ = ləmbaṇ "

Among nominal suffixes which derive the abstract substantive from the substantival base –'aṭ' suffix is generally added to reduplicated onomatopoetic stems.

e.g. " kəčkəčaṭ, khəḍkhəḍaṭ, kəmkəmaṭi, həṇhəṇaṭi."

'–vəṭ' suffix expresses the sense of conduct or behaviour. But in 'pəgəwəṭ duŋgərwəṭ' it expresses the sense of 'path.' Remaining suffixes express the sense of abstract noun.

Agentative substantive deriving suffixes express the meaning of 'doer, ownership or mastership, possessiveness'.

Some forms with -'i' and -'ar' suffixes express the meaning of profession.

e.g. " ghəḍiyaḷi, teli, rəŋgaro, čunaro " etc.

The forms like 'kaməgrũ, beṭhagrũ, vatəgrũ' with '-gər' suffix express the meaning 'nature, habit'.

The forms with suffix -'har' are generally used in poetry.

Instrumentative substantives are used as instrument. The forms like 'navəṇiyũ, randhəṇiyũ' do not express the instrumentative meaning but they express the 'place'.

Adjectives derived from substantival base are used as adjectives. They express many shades of meaning. '- iy ' suffix generally expresses the sense of ' nature or behaviour '. In some forms it expresses the meaning of ' similarity, resemblance '.

e.g. ' popəṭiyũ, təpkiriyũ, vadəḷiyũ ' etc. Some forms express the meaning ' made out of '.

e.g. ' ləkkəḍiyũ, pətthəriyũ ' . . . .etc.

' –i ' suffix generally expresses the sense of ' possessiveness '. When added to place names it expresses the meaning ' of that place, or regarding that place '.

e.g. ' gujərati, mərathi, kabuli, hindi ' . . .etc.

When ' –i ' is added to the nouns such as ' gulab, təpkir, vadəḷ ' etc. it gives the words the sense of expressing those colours.

e.g. ' gulabi, təpkiri, vadḷi '

-' aḷ ' suffix gives the meaning of ' nature, habit '. The forms with -' aḷ ' suffix, which take gender marker suffix are more common in every day speech, than forms without gender marker suffix. The forms without gender marker suffixes are mostly used in poetry.

-' il ' suffix mostly expresses the ' possessiveness '. But in some forms it gives the meaning of ' nature, habit '.

e.g. ' čaḍilũ, gəmtilũ '.

Suffixes as ' -iyaḷ, yəl∼yel ', -' iyat ', -ṇ ', ' vənt∼mənt ' express the sense of ' possession, ownership '. But the forms like ' čhokəriyat, maŋgəṇiyat' give the agentative sense and ' čokhəliyat', gives the sense of ' nature '.

-' aṷ ' suffix gives the meaning ' to be or to become '.

-' u ' suffix expresses the meaning ' nature '. When it is added to the names of season, it gives the idea of 'happening in that season '.

e.g. ' unaḷu, šiyaḷu '.

Zero suffix gives the meaning ' resemblance or possessiveness '.

The substantive deriving suffixes which are added to non-numerical adjectival stems form abstract substantive.

-' aš ' suffix gives the sense of ' slightness, scarceness '.

-' pəṇ ' suffix expresses the ' state of being ' :

The substantive deriving suffixes like zero or -' m ' when added to numerical adjectival stem gives the names of lunar day.

-' k ' gives abstract nouns.

There is only one adjective deriving suffix which is added to non-numerical adjectival stem. The forms with this -' er '- suffix are generally used in poetry.

Among the adjective deriving suffixes which are added to the numerical adjectival stems, -' m '- gives ordinal adjectives.

'– gəṇ ' gives the sense of ' multiplication, and ' –vəḍ ' gives the sense of ' fold '.

Examples of each and every suffix—verbal and nominal—are given below :—

VERBAL SUFFIXES

A. SUBSTANTIVE DERIVING.

(*i*) Denoting action or result of action.

The suffixes such as zero (number of examples 732) -' ṇ ' (435) -' ar ' (50) -' aṭ ' (46), -' t ' (42) -' ai̯ ' (39) -' k ' (28) -' tər ' (19), -' ṭ ' (15), -' aš ' (6) are of this type.

1. Zero Suffix :

Masculine gender :

Non-compound :

Simple stem :

kəs, kap, gher, čal, ḍəŋkh, toḍ, thak, nač, bol, lag, vəḷ, hãph . . . . (34)

Causal stem :

əṭkaw, ukel, ugar, upaḍ, čəḍaw, ṭhəraw, ḍhaḷ, dekhaw, bəgaḍ, bəčaw, mar . . . (47)

Coupound :

One component is verbal :

Simple stem :

Masculine :

ḍhãkpičhoḍo . . . (1)

Feminine gender :

Non-compound :

Simple stem :

upəǰ, uŋgh, oḷəkh, kud, khẽč, čəmək, čal, čir, čhuṭ, ǰaṇ. ǰhəḍəp, thəḍək, doḍ . . .(140)

Compound :

Both the components are verbal :

Simple stem :

aple, awǰa, uṭhbes, kaḍhghal, khəṇkhod, khelkud, čəḍutər, ǰaṇpičhaṇ, nasbhag . . . (88)

One component is simple stem, other one is causal stem :

marpiṭ, markuṭ, maṇḍčhaṇḍ . . . (10)

One component is verbal :

Simple stem :

abhəḍčheṭ, uthəlpathəl, gaǰwiǰ, gəḍməthəl . . . (37)

Causal stem :

haḍmar, həi̯yabaḷ . . . . . (4)

Reduplicatives :

Simple stem :

kudakud, khẽčakhẽč, doḍadoḍ, bolabol, čerəmčer, taṇəmtaṇ, phaṭəmphaṭ . . .(innumerable)

Causal stem :

maramar, marəmmar . . . . (2)

Neuter Gender :

Non-compound :

Simple stem :

khəməṇ, thũk, map . . . . (9)

Compound :

Both the components are verbal :

Simple stem :

ǰəntərməntər, ǰhaṭəkǰhuṭək, bhərḍhoḷ . . . . (11)

One component is verbal :

Simple stem :

kotərkam, khodkam . . . . (2)

1.B. ZERO SUFFIX :—(-gm)

Masculine gender :

Non-compound :

Simple stem :

ačko, uthlo, kapo, gəmo, čiro, čhapo, ṭəhuko, ḍhərḍo, məro, relo, səḍo . . . . (97)

Causal stem :

ukaḷo, upaḍo, gaḷo, ghəṭaḍo, dukhawo, phugawo, bəgaḍo, meḷo . . . . (34)

Compound :

Both the components are verbal :

Simple Stem :

gəmoəṇgəmo, ləṭkoməṭko, ləpkoǰhəpko . . . (8)

One component is simple stem, other one is causal :

herophero . . . . .(1)

One component is verbal :

Simple stem :

ḍhãkoḍhumbo, vandhowəčko . . . . .(4)

causal stem :

varophero . . . . (1)

Feminine gender :

Non-compound :

Simple stem :

ãṭi, čiri, čhuṭi, ǰoḍi, phaki, boli . . . . (15)

Causal stem :

pheri . . . .(1)

Compound :

Both the components are verbal :

Simple stem :

boličali∼bolacali . . . . (1)

One component is verbal :

Simple stem :

nəšabandhi, ləmṇaphoḍi . . . (7)

Causal stem :

haḍmari, saṭhmari . . . . (3)

Reduplicatives :

forms with -' i ' ending :

Simple stem :

kəčḍakəčḍi, kapakapi, kudəmkudi, dekhadekhi . . .(innumerable)

Casual stem :

maramari . . . . (1)

Forms with -‘ a ’ ending :

Simple stem :

khẽčəmkhẽča, ḍoləmḍola, pəḍəmpəḍa, bhagəmbhaga . . (innumerable)

Neuter Genger :

Non-compound :

Simple stem :

čhapũ, ǰoḍũ, ǰhapṭũ, ǰhokũ, teḍũ, magũ . . . . (17)

Compound :

One component is verbal :

Simple stem :

khoḷakhəŋkhoḷa (pl.) . . . . (2)

2. -‘ -ṇ ’ Suffix :

Feminine gender :

Non-compound :

Simple stem :

gũčwəṇ, goṭhwəṇ, səmǰəṇ, vimasəṇ . . . . (17)

Causal stem:

əthḍaməṇ, gəbhraməṇ, čhəpaməṇ, bhəlaməṇ . . . . (21)

Compound :

Both the components are verbal :

Simple stem :

leṇdeṇ . . . . (1)

Causal stem :

əthḍaməṇkuṭaməṇ . . . . (1)

Neuter gender :

Non-compound :

Simple Stem :

oṭəṇ, ke’ṇ, kãtəṇ, gũthəṇ, čurəṇ, ǰəməṇ, ḍhãkəṇ, lĩpəṇ, šošəṇ, siwəṇ . . . . (60)

Passive stem :

udaṇ, khẽčaṇ, čəḍaṇ, ǰoḍaṇ, dəbaṇ, bhəŋgaṇ, rokaṇ, ləkhaṇ, večaṇ . . . . (39)

Causal stem :

osaməṇ, gəḷaməṇ, meḷwən, širaməṇ, dəḷaməṇ, bhəraməṇ, viṇaməṇ . . . . (65)

Compound :

Both the components are verbal :

Simple stem :

ḷi pəṇgũpəṇ, verəṇkherəṇ . . . . (3)

Passive stem :

ləkhaṇpəḍhaṇ . . . . (1)

One component is verbal :

Simple stem :

ṭheləṇgaḍi, hathkãtəṇ . . . . (7)

Causal stem :

hathkəntaməṇ . . . . (1)

2.B ‘-ṇ-’ (-gm) Suffix :

Feminine :

Non-compound :

Simple stem :

a͜ṇǰṇi, kərṇi, gũthṇi, čũṭṇi, ǰoḍṇi, ṭãčṇi, tapṇi, bandhṇi, magṇi . . . . (68)

Causal stem :

ḍəramṇi, pədhramṇi, vədhamṇi, vinəwṇi, sərkhamṇi, ghəḍamṇi, čhəḍamṇi . . . . (78)

Compound :

Both the components are verbal :

Simple stem :

khaṇipiṇi, re'ṇikərṇi . . . . . (3)

One component is verbal :

Simple stem :

phulgũthṇi . . . . .(3)

Causal stem :

ãkhm͡ičamṇi . . . . (3)

Neuter gender :

Non-compound :

Simple stem :

athṇũ, khaṇũ, gaṇũ, ǰoṇũ, besṇũ, magṇũ . . . .(39)

Passive stem :

əthaṇũ, čəwaṇũ, duǰhaṇũ . . . .(3)

Causal stem :

uṭhəmṇũ, vədhamṇũ . . . .(5)

Compound :

Both the components are verbal :

Simple stem :

leṇũdeṇũ . . . . (1)

One component is verbal :

pəgelagṇũ, mõsuǰhṇũ, mathabandhṇũ . . . .(12)

3. ‘-ar’ SUFFIX

Masculine gender :

Non-compound :

Simple stem :

čəmkar (∼-°aro), ǰhəṇkar (∼-°aro), ǰhəbkar (∼-°aro), dhəbkar (∼-°aro), rəṇkar (∼-°aro) . . . . (18)

Passive stem :

bhəṇgar . . . . . (1)

3.B ‘-ar’- (-GM) SUFFIX

Masculine gender :

Non-compound :

Simple stem :

ṭəhukaro, ṭhəmkaro, bəčkaro, ghəsaro, dhəsaro, mu͜nǰaro . . . . (20)

Compound :

One component is verbal :

Simple stem :

pəgpesaro, haypiṭaro . . . . (2)

Feminine gender :

Non-compound :

Simple stem :

kəmpari, dhruǰari, ləwari . . . . (6)

4. ‘ -aṭ ’ Suffix :

Masculine :

Non-compound :

Simple stem :

əkḷaṭ, ukḷaṭ, kəc̆waṭ, gəbhraṭ, pəmraṭ, bəbḍaṭ . . . .(38)

Compound :

Both components are verbal :

Simple stem :

ro-kəkḷaṭ . . . .(1)

Passive stem :

əphḷaṭ, əmḷaṭ, pəthraṭ, vəpraṭ . . . .(6)

4.B ‘ -aṭ ’ -(-gm) Suffix

Masculine gender :

Non-compound :

Simple stem :

ghughwaṭo . . . .(1)

5. ‘ -t ’ Suffix

Feminine gender :

Non-compound :

Simple stem :

awḍət, ke’wət, ǰit, rəmət, ləḍət . . . .(15)

Neuter gender :

Non-compound :

Simple stem :

bhərət, ləkhət . . . .(2)

Masculine gender :

Compound :

One component is verbal :

Simple stem :

vəḷətbhaw . . . .(1)

5.B -' t ' - (-GM) Suffix

Feminien gender :

Non-compound :

Simple stem :

čəḍti, čheḍti, pəḍti, bhərti, vəsti . . . . (15)

Compound :

Both the components are verbal :

Simple stem :

khatipiti, čəḍtipəḍti, letideti . . . . (7)

6. -' ai̯ ' Suffix

Feminine gender :

Non-compound :

Simple stem :

kəmai̯, čəḍai̯, ləḍai̯, vədhai̯, sudhrai̯ ghəḍai̯, ǰəḍai, bhərai̯ . . . . **(34)**

Passive stem :

əŋkai̯, təwai̯, kəntai̯, čhəpai̯, bəndhai̯ . . . . (10)

7. -' k ' Suffix

Feminine gender :

Non-compound :

Simple stem :

awək, ǰawək, bik, beṭhək . . . . (4)

7.B -' k '- (-GM) Suffix

Masculine gender :

Non-compound :

Simple stem :

ləsərko, uməḷko kudko, ghəsərko, čhuṭko, hĩčko . . . . (16)

Feminine gender :

Non-compound :

Simple stem :

kudki, ḍubki, mərki . . . . (6)

Neuter gender :

Non-compound:

Simple stem :

ḍubkũ, phulkũ . . . .(2)

8. -‘ tər ’ SUFFIX

Neuter gender :

Non-compound :

Simple stem :

kəḷtər, ghəḍtər, čoṇtər, ǰiwtər, pəḍtər, bhoṇtər . . . (15)

8.B -‘ tər ’ - (-GM) SUFFIX

Feminine :

Non-compound :

Simple stem :

gəṇətri . . . . (1)

Causal stem :

uṭhantri . . . . (1)

-‘ *a* ’ *ending feminine form :*

bəḷətra . . . . (1)

9. -‘ ṭ ’ SUFFIX

Feminine gender :

Non-compound :

Causal stem :

čhəṇawəṭ, ǰəmawəṭ, bənawəṭ, səmǰawəṭ . . . . (12)

Simple stem :

pəčhḍaṭ, phawəṭ, sačwəṭ . . . .(3)

10. -‘ aš ’ SUFFIX :

Masculine gender :

Non-compound :

Simple stem :

bəkwaš, re’waš . . . . (3)

Passive stem :

vəpraš . . . . (1)

Feminine gender :

Non-compound :

Simple stem :

bolaš, phulaš . . . . (2)

(*ii*) INSTRUMENTATIVE SUFFIXES :

The suffixes like -‘ ṇ ’ (51), zero (16) -‘ ḍ ’ (10) and -‘ iy ’ (10) are of instrumentative type.

1. -‘ ṇ ’ Suffix

Neuter gender :

Non-compound :

Simple stem: :

pe’rəṇ . . . . . (1)

1.B -‘ṇ’- (-GM) Suffix

Masculine :

Non-compound :

Simple stem :

čaḷṇo, vĩǰhṇo . . . . (4)

Feminine gender :

Non-compound :

Simple stem :

ãkṇi, oḍhṇi, khaṇḍṇi, čarṇi, ǰherṇi, ḍhãkṇi, vəḷəgṇi , . . **(30)**

Neuter gender :

Non-compound :

Simple stem :

gəḷṇũ, ṭãkṇũ, ḍhãkṇũ, vəloṇũ . . . . . (14)

Compound :

One component is verbal :

Simple stem :

guwaḷṇũ . . . . (1)

2. Zero (-GM) Suffix :

Masculine gender :

Non-compound :

Simple stem :

ǰharo, ǰhulo, hĩčko . . . . (6)

Feminine gender :

Non-compound :

Simple stem :

khəmṇi, čhiṇi, ǰhari . . . . (6)

Neuter gender :

Non-compound :

Simple stem :

khəḍpũ . . . . (1)

3. -‘ḍ’- (-GM) Suffix

Masculine gender :

Non-compound :

Simple stem :

tawḍo, phərəkḍo . . . . (4)

Feminine gender :

ǰhulḍi, tawḍi, šarḍi , . . . (5)

4. -‘iy’-(-GM) ’ Suffix

Masculine gender :

Simple stem :

ṭũpiyo, səǰiyo . . . . (2)

Neuter gender :

Non-compound :

Simple stem :

gaḷiyũ, ǰhapəṭiyũ, ǰhuḍiyũ . . . . (8)

B. ADJECTIVE DERIVING

(*iii*) Agentative Suffixes :

The following suffixes are of this type: -‘ nar ’ (innumerable) -‘ u ’ (40), -‘ ṇ ’ (137),- ‘ kəṇ ’ (19), -‘ aụ̯ ’ (18), zero (16), ‘ar’ (10), -‘təl’ (10)

1. -‘ nar ’∼–nar– (-GM) suffix :

Non-compound :

Simple stem :

awnar∼-nar-   načnar∼-nar-
ganar∼-nar-   besnar∼-nar-
ǰənar∼ -nar-   ləkhnar∼-nar-   (innumerable)

Causal stem :

kərawnar∼-nar-   čhoḍawnar∼-nar-
pəḍwanar∼-nar-   ləkhawnar∼-nar-   (innumerable)

2. -‘ u ’ Suffix

Non-compound :

Simple stem :

kheḍu, rəkhḍu, səmǰu . . . .(7)

Causal stem :

utaru, besaru, maru . . . . (8)

Compound :

One component is verbal :

Simple stem :

khisakatru, markhaụ̯, gəḷepəḍu . . . .(innumerable)

Causal stem :

uṭhaụ̯gir, khatərpaḍu . . . .(innumerable)

3. -‘ ṇ ’ SUFFIX

Non-compound :

Simple stem :

ḍoləṇ, deṇ, pərkhəṇ., bəṭkəṇ, ləṭkəṇ . . . . (21)

Compound :

Both the components are verbal :

Simple stem :

halənḍoləṇ . . . . (1)

One component is verbal :

Simple stem :

dukhdeṇ, dukhpheḍəṇ, vərəswiyaṇ . . . .(8)

3.B -‘ ṇ ’- (-GM) SUFFIX

Non-compound :

Simple stem :

athəmṇ (-o∼i∼-ũ) čhəṭəkṇ-, nəmṇ-, bəṭəkṇ-, ləpəsṇ-, səməǰṇ- . . . . (22)

Causal stem :

čhetramṇ-, ḍəramṇ-, lobhamṇ-, sohamṇ-, hulamṇ- . . . (15)

4. -‘ kəṇ ’- (-GM) SUFFIX :

Non-compound :

Simple stem :

kərḍəkṇ-, način̆əkṇ-, boləkṇ-, bhuləkṇ-, vəḍhəkṇ-, . . . (18)

Causal stem :

marəkṇ- . . . . (1)

5. -‘ aụ̯ ’ SUFFIX

Non-compound :

Simple stem :

upǰau̯, kəmau̯, ṭəkau̯, šikhau̯ . . . . (12)

Causal stem :

uḍau̯ . . . .(1)

Compound :

One component is verbal :

Simple stem :

kamčəlau̯, nəwšikhau̯ . . . . (5)

6. Zero -(-gm) Suffix

Non-compound :

Simple stem :

čhuṭ-, c̣hup-, ḍo'ḷ-, vəkr- . . . . . (14)

Causal stem :

ughaḍ- . . . . . (1)

Compound :

One component is verbal :

Simple stem :

ratũmatũ . . . . (1)

7. -‘ ar ’- (-gm) Suffix

Masculine gender :

Non-compound :

Simple stem :

čitaro, pi̬nǰaro, rəŋgaro, lũṭaro . . . . . (10)

8. -‘ təl ’ Suffix :

Non-compound :

Simple stem :

kəmatəl, khəḍtəl, ǰaṇtəl, rotəl . . . . (10)

NOMINAL SUFFIXES

A. WHICH ARE ADDED TO SUBSTANTIVE :

I. Substantive deriving suffix :

(*i*) *abstract substantive deriving suffixes :*

The suffixes which form abstract substantives from substantival base are as follows :—

-‘ aṭ ’ (143), -‘ vəṭ ’ (21) zero (20) -‘ ai ’ (8), ‘ p ’ (5).

1. -‘ aṭ ’ SUFFIX :

Masculine gender :

kəkḷaṭ, kəmkəmaṭ, kəlbəlaṭ, khəḍbəḍaṭ, gəgḍaṭ∼gəḍgəḍaṭ, dhəmdhəmaṭ, bəḍbəḍaṭ . . . . (127)

1.B -‘ aṭ ’- (-GM) SUFFIX :

Masculine gender :

čičwaṭo, bumaṭo, ləkhləkhaṭo . . . . (5)

Feminine gender :

kəmkəmaṭi, thərthəraṭi, sənsənaṭi, həṇhəṇaṭi . . . . (8)

2. -‘ vəṭ ’ SUFFIX :

Masculine gender :

vəhiwəṭ . . . . (1)

Feminine gender :

ghərwəṭ, raǰwəṭ, sačwəṭ, kšatrawəṭ . . . . (12)

Neuter gender :

thəḷwəṭ . . . .(1)

2.B -‘ vəṭ ’- (-GM) SUFFIX :

Masculine gender :

dešwəṭo, bhogwəṭo . . . . (2)

Feminine gender :

kəŋkawəṭi, məthrawəṭi . . . (2)

Neuter gender :

diyərwəṭũ, dešai̯wəṭũ, ba’rwəṭũ . . . (5)

3. ZERO (-GM) SUFFIX :

Feminine gender :

khoṭi, čhəṭṭhi, ǰuwani, rəkhwaḷi, sa̮nǰi . . . (17)

Neuter gender :

čhaṇũ, mosaḷũ, vəi̯dũ . . . (3)

4. -‘ ai̯ ’ SUFFIX :

Feminine gender :

ṭhəgai̯, pəṭlai̯, maṇasi̯, šeṭhai̯ . . . . (8)

5. -‘ p ’ SUFFIX :

Feminine gender :

baḷəp, va’ləp . . . . (2)

5.B -‘p’- (-GM) SUFFIX :

Masculine gender :

khoṭipo,golapo . . . . (2)

Neuter gender :

rəkhopũ . . . .(1)

II. AGENTATIVE SUBSTANTIVE DERIVING SUFFIX :

The suffixes which form agentative substantives from substantival base are as under :—

-‘iy’ (73) -‘i’ (28) -‘ar’ (16), -‘har’ (27) -‘gər’ (8).

1. -‘iy’-(-GM) SUFFIX

aḍətiyo, kapəḍiyo, khepiyo, goṭhiyo, diweṭiyo, dewaḷiyo, nišaḷiyo, pə‿nčatiyo, mawəḍiyo, rəsoi̯yo . . . . (74)

2. -‘i’ SUFFIX :

Masculine gender :

karbhari, koṭhari, ghəḍiyaḷi, ǰugari, ṭəpali, ḍholi, teli, pəkhali, paḍoši, mukhi, vepari, sathi . . . . (27)

Feminine gender :

suwawḍi . . . (1)

3. -‘ar’- (-GM) SUFFIX :

Masculine gender :

kənsaro, čunaro, puǰaro, rəŋgaro, sonaro . . . (12)

Feminine gender :

paṇiyari, mə’i̯yari, luṇari . . . (3)

4. -‘har’ SUFFIX :

Masculine gender :

tarəṇhar, palənhar, sərǰənhar, . . . (27)

4.B -‘har’- (-GM) SUFFIX :

Masculine gender :

palənharo, sərǰənharo . . . . (26)

5. -‘gər’ SUFFIX :

Masculine gender :

teḍagər, bhatigər, maṇigər . . . (3)

5.B -‘gər’- (-GM) SUFFIX :

kə’yagər- (o, ∼i, ∼-ũ), kaməgr-, mumbəi̯gər- . . . . (5)

(*iii*) Instrumentative substantive deriving Sufpix :

There is only one suffix of this type, namely -‘ iy ’ . . . (28)

1. -‘ iy ’- (-gm) Suffix :

Masculine gender :

khaṇḍəṇiyo, dãtiyo . . . . (2)

Neuter gender :

khaṇḍəṇiyũ, ḍhĩčəṇiyũ, bhatiyũ, lučhəṇiyũ, sĩčəṇiyũ . . .(24)

II. Adjective deriving suffix :

Adjective deriving suffixes from substantival base are listed below :

-‘ iy ’ (254), -‘ i ’ (105), -‘ aḷ ’ (57), -‘ il ’ (43), -‘ iyaḷ ’ (25), -‘ yəl ~ yel ’ (18), -‘ iyat ’ (10), -‘ au̯ ’ (7). -‘ u ’ (7), zero (8), -‘ ṇ ’ (6), -‘ vənt ~ mənt ’ (4).

1. -‘ iy ’- (-gm) Suffix :

əpšukəniy -(-o ~ əṇ~-ũ) utawəḷiy-, kəṭkəṭiy-, khəṇkhodiy-, gərbəḍiy-, gaməḍiy-, čaḍiy-, ciḍiy-, dhəmaliy-, dewaḷiy-, bhutiy-, ləpiy- . . . . (254).

2. -‘ i ’ Suffix :

koŋgresi, khəṭpəṭi, ghəmənḍi, čepi, ǰəŋgli, ḍhoŋgi, dhuni, bhili, vadḷi, suthari, sohagi, asami, kabuli, guǰrati, ǰapani, pə͜nǰabi . . . .(105)

3. -‘ aḷ ’ Suffix :

khəḍkaḷ, duŋgraḷ, pəthraḷ, hetaḷ . . . .(4)

3.B -‘ aḷ ’- (-gm) Suffix

kãkraḷ- (-o ~ i ~ -ũ), čhogaḷ-, dudhaḷ-, bepəgaḷ-, ləǰǰaḷ,-hũphaḷ- . . . .(43)

4. -‘ il ’- (-gm) Suffix :

koḍil- (-o~-i~-ũ), khəntil-, ǰheril-, ḍhoŋgil-, natil-, rəŋgil-, laḍil-, həṭhil-, ... (42)

5. ‘ -iyaḷ ’ Suffix

əpšukəniyaḷ, ghugbəriyaḷ, rəmtiyaḷ, lo’i̯yaḷ . . . .(10)

5.B ‘ -iyaḷ- ’ (-gm) Suffix

kãkəriyaḷ- (-o~-i~-ũ), phuməṭiyaḷ-, rəḍhiyaḷ-, ləṭkəṇiyaḷ . . .(15)

6. '-yəl∼yel' Suffix
kəḷayəl∼kəḷayel, guṇiyəl∼-yel, čiḍiyəl ∼ -yel . . ..(11)

7. '-iyat' Suffix
aŋgəḷiyat, čakəriyat, čokiyat, rəḷiyat . . . .(9)

7.B '-iyat-' (-GM) Suffix
dhəṇiyat- (-o∼-i∼-ũ) . . . .(1)

8. '-au' Suffix
upəǰau̯, khetrau̯, vəgḍau̯, sutrau̯ . . . . (7)

9. -'u' Suffix
aḷsu, unaḷu, lalču, ve'waru, višwasu . . . .(8)

10. Zero -(-GM) Suffix :
kəḍhəŋg - (-o ∼ -i ∼ -ũ), kabr, - gobr- . . . (7)

11. '-ṇ-' (-GM) Suffix :
kəŋkasṇ - (-o ∼ -i ∼ -u), gabhṇ-, va ŋ̯jhṇ- . . . (6)

12 '-vənt ∼ -mənt' Suffix :
čhətwənt, ǰəšwənt, ǰatwənt . . . (3)

12.B '-vənt-'(-GM) Suffix :
ǰobənwənt - (-o ∼ -i ∼ -ũ) . . . (1)

B. WHICH ARE ADDED TO ADJECTIVES :

I. Substantive deriving suffixes

(i) Which are added to non-numrrical adjectival stems :

Abstract substantive deriving suffixes :

The suffixes like -' ai̯ ' (74), '-aš' (42), zero (39), -'p' (19), -'pəṇ' (14), -'aṇ' (11), -'m' (8), -'vəṭ' (5), -'ap' (4), '-aṭ' (2), are of this type.

1. '-ai̯' Suffix :

Feminine gender :

Added to undeclinable adjectival stems :

kəṭhṇai̯, nəppheṭai̯, murkhai̯. . . . . (16)

Added to declinable adjectival stems :

əkḍai̯, ədekhai̯, ũčai̯, čokkhai̯, nəblai̯, bhəlai̯, səga,i̯ həlkai̯ . . . . (58)

2. -‘ aš ’ Suffix :

Feminine gender :

Added to undeclinable adjectival stems :

akḍaš, kəṭhṇaš . . . . (2)

Added to declinable adjectival stems :

əkḍaš, kəḍwaš, khəṭaš, čikaš, ṭaḍhaš, ṇəwraš, bhinaš, həḷwaš . . . . (40)

3. Zero Suffix :

Added to declinable adjectival stem :

Masculine gender :

ughaḍ, tras, meḷ, bheḷ, vãk . . . (10)

Feminine gender :

aḍ, utawəḷ, čhuṭ, ṭaḍh, ḍhil, moḷ . . . . (16)

Neuter gender :

əpləkhəṇ, ǰhuṭh, va’l, sač, ... (5)

3.B. Zero (-gm) Suffix :

Feminine gender :

Added to undeclinable adjectival stems :

səpaṭi, sərmukhtyari, haḍmari . . . . (5)

Added to declinable adjectival stems :

ǰhãkhi, thəṇḍi . . . . (2)

4. -‘ p ’ Suffix :

Feminine gender :

Added to declinable adjectival stems :

ədhirəp, uṇəp, očhəp, ǰhãkhəp, moṭəp, sarəp . . . (19)

5. - ‘ pəṇ ’ Suffix :

Neuter gender :

Added to declinable adjectival stems :

gəḷpəṇ, gaṇḍpəṇ, ghəḍpəṇ, nanpəṇ, səgpəṇ . . . . (11)

Added to undeclinable adjectival stems :

baḷpəṇ, niǰpəṇ . . . (2)

6. -‘ aṇ ’ Suffix :

Neuter gender :

Added to declinable adjectival stems :

ũčaṇ, ṭũkaṇ, polaṇ, ləmbaṇ . . . . (8)

6.B - aṇ- (-GM) Suffix :

Added to declinable adjectival stems :

Feminine gender :

kəḍwaṇi . . . . (1)

Neuter gender :

ǰuṭhaṇũ, dhiŋgaṇũ . . . (2)

7. -' m ' Suffix :

Added to declinable adjectival stems

Feminine gender :

uṇəm, nanəm, moṭəm . . . .(5)

Masculine gender :

va'ləm . . . .(1)

7.B. -' m ' (-GM) Suffix :

Added to declinable adjectival stems :

Feminine gender :

murkhami . . . .(1)

Neuter gender :

ghərḍamũ, čokhamũ . . . .(2)

8. -' vəṭ ' Suffix

Added to declinable adjectival stems :

Feminine gender :

čokhwəṭ, ǰhiṇwəṭ, səgawəṭ . . . .(5)

9. -' ap ' (-GM) Suffix

Added to declinable adjectival stems :

Masculine gender :

əndhapo, ghərḍapo, buḍhapo, bhuṇḍapo . . . .(4)

10. -' aṭ ' Suffix :

Added to declinable adjectival stems :

Masculine or Feminine gender :

kəḍwaṭ . . . .(1)

(*ii*) Which are added to numerical adjectival stems

The suffixes like zero (10) ' -s∼-š ' (4), -' k ' (3) form substantives from numerical adjectives.

1. ZERO SUFFIX

Added to declinable adjectival stems :

Feminine gender :

biǰ, čoth, pãčəm, čhəṭh . . . .(10)

2. ' -s∼-š ' SUFFIX :

Added to undeclinable adjectival stems :

Feminine gender :

əgiyarəs∼-°š, barəs∼-°š, terəs, čəu̯dəs . . . .(4)

3. -' k '- (-GM) SUFFIX :

Added to undeclinable adjectival stems :

Masculine gender :

ekko, dəško, səi̯ko . . . .(3)

B. ADJECTIVE DERIVING SUFFIXES :

(*i*) WHICH ARE ADDED TO NON-NUMERICAL ADJECTIVAL STEMS

There is only one suffix of this type. namely -' er ' . . .(10)

1. -' er '- (-GM) SUFFIX :

Added to declinable adjectival stems :

ačher -(-o∼-i∼-ũ), ǰhaǰher-, naner-, mõgher- . . .(10)

(*ii*) WHICH ARE ADDED TO NUMERICAL ADJECTICAL STEMS :

The following suffixes are added to numerical adjectives to form adjectives.

-' m ' (innumerable), -' gəṇ ' (innumerable) -' vəḍ ' . . . .(5)

1. -' m '- (-GM) SUFFIX :

Added to undeclinable adjectiveal stems :

pãčm (-o∼i∼-ũ), satm-, barm-, term . . .(innumerable)

2. -' gəṇ '- (-GM) SUFFIX :

Added to undeclinable adjectival stems :

ekgəṇ-, čargəṇ-, čhəgəṇ-, nəwgəṇ- . . .(innumerable)

3. -' vəḍ '- (-GM) SUFFIX :

Added to undeclinable adjectival stems :

ekəwḍ-, čowḍ-, pãčəwḍ- . . . .(5)

This article is based on my Ph.D. thesis ' Verbal and Nominal Derivative (Formative) Affixes of Gujarati Language ' (May, 1967).

THE WORLD SLOKA IN THE ṚGVEDA*

S. N. Gajendragadkar

1. Language is a dynamic system and is constantly changing at all levels—Phonological, Grammatical and Semantic. This is obvious to every one who works with language. One could in fact say that juggling with old words and attributing to them new meanings or shades of meaning is a part of the whole complex of being human. The semantic change takes different forms. Old meanings are completely replaced by new ones, fresh nuances are added, old and new meanings exist side by side. It is therefore both interesting and instructive to trace the development of the meaning of a word since the very early times of its existence. An attempt is being made in this article to study the various meanings which the word Śloka has received in the ṚgVeda, the earliest available literary record. ṚgVeda itself represents chronologically different stages. Later on, it should be possible to examine the changes which have taken place through the successive stages of Sanskrit. In the course of its history, the word s'loka has acquired quite a few meanings but not unrelated. A stanza in general, a stanza written in the Anuśtubh metre, object of praise, celebrity, fame and proverb are some of the meanings given in the Sanskrit lexicon. A study of the word in the ṚgVeda should indicate to us the beginning of a long journey.

2. The word śloka can be derived from the *IE klou-kos. The original meaning of the root from which the word has come is √śru to hear. The primary meaning of śloka, according to Geldner is 'Musical tone'. cf. śloka der musikalische ton, bes der der Intonation' in connection with his comment on 1.38.14 Grassmann mentions the following meanings:—

1. Geton, Gerausch
2. Ruf, Preis, Preisgesang
3. Preis, Ruhm.

3. That these various meanings are avilable to the word śloka in the ṚgVeda is obvious. What the article is attempting to do is to trace the development of the original meaning into this this complex of meanings.

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* This article was submitted to the Indian Linguistics Section of All India Oriental Conference at Jadavpur—Oct. 1960.

4. Originally the word meant 'sound'—that which is heard. Ṛgveda is a compilation of hymns, composed and recited by different families of priests on different occasions in praise of various deities. Though it is not purely liturgical in character, the influence of priests and the sacrificial system can distinctly be noticed. Therefore it is natural that the earliest meaning of the word-sound or noise—is associated with press-stones which are such part and parcel of the sacrifice. This association of the press-stones and śloka is mentioned quite a few times. cf. 1.118.3 इमं शृणुतं श्लोकमद्रेः ।। Here the Aśvins are requested to listen to the sound of press-stones. 1.190.3 also refers to the same thing. The sound of the press-stones reverberates, it pleases the priests reciting the mantras and is considered to be rhythmical, musical. cf.10.76.4 and 10.94.1 where there is a reference to the rhythmic noise of stones आ नो॑ र॒यिं सर्व॑वीरं सुनोतन देवा॒ण्यं भर॒त श्लो॑कमद्रयः । प्रैते व॑दन्तु प्रवयं व॑दा॒म ग्राव॑भ्यो वाचं वदता वदद्भ्यः । This is why at 3.53.10 the sound produced by the press-stones is likened to the cackling of swans—हं॒सा इ॑व कृणु॒थ श्लोक॒मद्रि॑भि॒र्मद॑न्तो गी॒र्भिर॑ध्व॒रे सु॒ते सचा॑ ।

5. The first development therefore of the meaning is from sound to muscial, rhythmical sound. Both the situation and the similarity with the priests singing are mainly responsible for this this change. References to इन्द्रियं श्लोकम् (आप॒च्छ्लो॑कमिन्द्रि॒यं पू॒यमा॑न॒: प्रति॑ दे॒वाँ अ॑जुष॒त प्रयो॑भिः । 9.92.1 a tone which pleases Indra or श्लोकयन्त्रासः (प्र॒त्नान्भा॒नाद॒ध्या ये स॒मस्व॑रन्श्लो॑कयन्त्रासो र॒भस॒स्य मन्त॑वः । 9.73.6 —those who are controlled by thrilling melody—are suggestive of the same.

6. A melodious sound is bound to please the gods. Glory or praise often pleases them and hence it is natural that śloka came to mean 'praise' cf. 7.36.9 अच्छा॒यं वो॑ म॒रुत॒: श्लो॑क ए॒त्वच्छा॒ विष्णुं॑ निषि॒क्तपामवो॑भिः । 'May this praise go towards you, oh Maruts', cf. also 7.97.3 for दैव्यः श्लोकः for celestial praise. 1.51.12 mentions —अनर्वाणं श्लोकम् । -undisputed glory. That praise developed into fame is evident from 8.93.8 where Indra is referred to as śloki-celebrated or renowned—द्यु॒म्नी श्लो॒की स सोम्यः ।

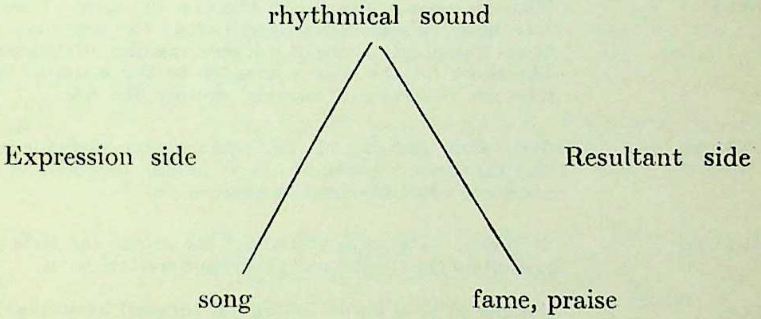
7. The glory or praise of God is expressed through a call to the deity cf. 1.190.4 where a call to Bṛhaspati is said to press forward to heaven earth, like the race horse. At 1.190.3 śloka is mentioned along with नमस: उद्यति and उपस्तुति. The call could be from the poet to the deity or call of the deity to people directing them to their duties. Morning is the appropriate time to remind people of their daily obligations and it is therefore quite proper that śloka is used in the sense of Revellie-morning call to people to goad them to their daily duties and obligations. It is significant that with such use of śloka, the deity invoked is mostly savitā—the deity most appropriate for such an assignment. cf. 4.53.3 श्लोकं देव: कृणुते स्वाय धर्मणे । 'The God has proclaimed his call for his regulations.' At 5.82.9 Savitā is mentioned as a God who calls all born creatures with his revellie—य इमा विश्वा जातान्याश्रावयति श्लोकेन । प्र च सुवाति सविता । May be at 7.82.10 also the poet has this meaning in mind when he says 'we think of the call of God Savitā देवस्य श्लोकं सवितुर्मनामहे ॥ This call to duty is directed to gods also because they too are bound to their obligations and responsibilities cf. 3.54.11—'oh Savitar, as soon as you direct the call—śloka to the gods, immediately then you impel alround welfare to us'. देवेषु च सवित: श्लोकमश्रेरादस्मभ्यमा सुव सर्वतातिम् । This call to duty may take the form of a warning—what Geldner calls Mahnruf—and will enter even the deaf ears of men. cf. 4.23.8 ऋतस्य श्लोको बधिरा ततर्द कर्णा बुधान:शुचमान आयो: । 'The warning call of the truth has pierced the deaf ears of Ayu-'. This is a call to people to behave according to Ṛta, the cosmic moral law.

8. From glory or praise, a song of praise is not a long step. Praise has to be expressed in words, that too not prosaically but with emotions and fervour. This means it prefers a song as a vehicle. Hence in a few places śloka is used in the sense of a 'song of praise' cf. 6.24.1 वृषा मद इन्द्रे श्लोक उक्था सचा सोमेषु सुतपा ऋजीषी । The liberal one is fit to be praised with songs for men. cf . also 1.139.3 युवां स्तोमेभिर्देवयन्तो अश्विना श्रावयन्त इव श्लोकमायवो: । युवां हवाभ्याइयव: ॥ At 10.12.5 it is said that there is always a sacrificial

gift like a song of praise to those who march victorious
मित्रश्चिद्धि ष्मा जुहुराणो देवान्श्लोको न यातामपि वाजो अस्ति ।

We could then summarise this development by saying that śloka originally meant a sound which then developed the meaning of a rhythmical sound. Then on the expression side it came to stand for a song and on the resultant side, developed the meaning of fame, praise. The same can be expressed through a diagram.

śloka < śru (to hear) → rhythmical sound



10. It should also be noticed that śloka *does not* seem to have received the meaning of a verse yet. It is actually distinguished from उक्थ (6.24.1.), नमसः उद्युति and उपस्तुति (1.190.3) and ब्रम्हन् (7.97.3.)

DATA

I.38.14	Measure up the *tone* well in your mouth. Like Parjanya, spread it. Sing the song which contains the poem of praise.
I.51.12	You mount upon your chariot for the sake of the drink of the mighty. These latter in which you feel delighted are offered by saryātā. When you enjoyed the company of the sacrificers who offer soma, oh Indra, you mount upon (i.e. claim for yourself) a resistless *praise* in heaven.
I.83.6	Indra finds delight in the resting places of the worshipper when sacred grass is spread out for acquiring good descendants or when a hymn proclaims aloud his *praise* in the heaven and when the press-stone and the bard thunder aloud, being well-versed in the ukthas.
I.118.3	Oh wonder workers, listen to this *sound* of the press-stone on the moving, lightly rolling chariot in the extended course. Why have you alone, oh As'vins, the early born orators-been named as those who satisfy the most needs.

I.139.3 ab	Like the Ayus (who are) reaching you their *praise* (of you), (these) god-seeking men (are leading you) oh As'vins by means of their songs of praise towards (their) offerings.
I.139.10 abcde	Let Hota worship. May the admiring (gods) partake of their choice (oblation). Bṛhaspati, the seer conducts the sacrifices with bulls that are chosen by many. We have now comprehended ourselves the *rhythmical sound* of the press-stones whose admonition goes far.
I.190.3	May he send up (i.e bring forth) the song of praise, the act of homage and the *call* like the Savitṛ raising his arms (rays). On account of his powers, the mighty one who is bright like the day, and who is not associated with devils, moves about like a fierce beast.
I.190.4	The *call* presses forward to Heaven, to earth. Like the race horse (drawing the chariot) may the wise one, who bears the secret draw it. These missiles of Bṛhaspati like those for the wild animal go to the heavenly gods who are possessed of magical powers like Ahi.
3.53.10 ab	With your pressing stones, you produce *rhythmic noise* like the geese rejoicing in your hymns together, at the sacrifice, when the juice is pressed out.
3.54.11 cd	O Savitṛ, as soon as you direct the *call* to the gods, immediately then you impel all-around welfare to us.
3.58.3	Coming in your easily rolling car (drawn) by well-yoked horses, listen to the *noise* of the press-stone, oh wonder-workers. Why is it that ancient—born poets have described you as the frequent visitors in need ?
4.23.8	Many indeed are the gifts of the Ṛta. The thought of Ṛta destroys evils. The *call* of Ṛta opens up the deaf ears of man, rousing him and shinning brightly (in his mind).
4.53.3	He has filled up the heavenly and earthly regions. The God has proclaimed his *call* for his own law. Savitā has stretched out his arms for the world to rest and to awaken.
V.82.9	Savitā causes all people to listen to his directions by means of his revillie.
6.24.1	' The mighty intoxicating joy, the *praise* and the hymns all belong to Indra- the impetuous God who is the drinker of the juice when the somas are ready for him. The liberal one is fit to be praised with songs for men. He is the heavenly king of our hymns and has exhaustless protection for us.
7.36.9	May this *praise* go towards you, oh Maruts, towards Viṣṇu, who protects the dropped seed in the wombs by his favours. May they bestow vigour on their bard for the sake of off-spring.
7.82.10. 7.83.10	We think of the potent light of Aditi, the furtherer of Ṛta. We think of the *call* of God Savitā.
7.97.3	I praise with adoration and oblations that same great and kind Bṛhaspati. May the *celestial praise* mightily cling to Indra who is the king of the God-begotten hymn.

VIII.93.8	That Indra was created for (giving) gifts. The mightiest one was destined for the wild joy (of soma). He, the glorious and *praise-worthy* God deserves soma.
IX.73.6	Those who are controlled by the thrilling *melody* sing together from the ancient abode, meditating on the strong one . The blind and the deaf have fallen away ; and the evil-doers do not take the path of Truth.
IX.92.1	The yellow stalk which is being pressed (moves) around in the strainer. He is released like a chariot towards a goal. While being purified he attained the *resonance* dear to Indra. He became pleasing to the God through his refreshment.
X.12.5	Why indeed has the king seized us ? What law of his have we transgressed ? Who knows it ? Even when he is our friend, will be mislead the gods ? There is always a sacrificial gift, like a *song of praise* to those who march victorious.
X.13.1	I yoke for you both the foremost hymn with salutations. The *call* of the patrons shall go as if through a channel. All the sons of immortality who have received the heavenly abodes shall hear.
X.76.4	Strike away the deceitful rākshasas. Hold a part of the spirit of destruction. Keep away thoughtlessness. Press out wealth in the form of pure sons. Raise the *rhythmic sound* oh stones, which is dear to the Gods.
X.94.1	Let the press-stones commence their speech. We want to commence ours. Hold a speech to the speaking stones when you oh rocks, oh Mountains possessed of soma, raise together quickly your *rhymthmic sound* for Indra.
X.159.3	My sons are enemy-slayers and my daughter is shinning. And I am completely victorious. To my husband the *call* is supreme.

ISLAMIC STUDIES*

By Dr. N. S. Gorekar, M.A., Ph.D.

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Fellow Delegates, Ladies and Gentlemen.

THE presidentship of the section of the Islamic Studies of the All India Oriental Conference is undoubtedly, a high academic honour. Personally I am convinced that this is the highest aspiration of a student of Islamics. I thank my colleagues on the Executive Committee of the Conference for the honour conferred upon me as the successor of my eminent and distinguished predecessors. With your indulgence and co-operation, I am sure, I will do my best to maintain the high level of this section in continuity with its earlier tradition.

To make the acqaintance of such a large and distinguished gathering of eminent scholars of Islamic studies particularly from all parts of India who are here to pool the knowledge acquired by them since their last meeting, to correlate the results of their enquiries in different branches of learning, to teach us something of their science, and, I hope to learn something from our beautiful country and from the ancient mounuments and documents of which we are the fortunate custodians, is my special privilege.

Islam, firstly, in its technical sense, is a religion, based on beliefs and religious practices and rituals. Secondly, it means a state, the vast Arab state established as a result of early Muslim conquests. And thirdly, the word Islam means culture—the syncretism of Arabian, Persian, Semitic and Hellenistic cultural elements, constituting the Muslim civilization. Consequently, Islam unfolded itself in the Asian environment first as religion, then as polity, and subsequently as civilization. The demarcation of these phases however, remain historically fluid as all these had a tendency to coalesce and separate under the pressure of circumstances.

In the course of its expansion in Asia, Islam was impelled to come in contact with two great civilizations-Byzantine and

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*This is the Presidential Address delivered at the Islamic Studies Section of the 24th Session of the All-India Oriental Conference, held from October, 12 to 14, 1968 at Sanskrit University, Varanasi.

Sassanid. In its earlier impact, the Arabs were the spearheads of Islam in Asia until the regime of the Ummayad dynasty which came to an end in 750 A.D. while in its later influence it brought in the era of the Abbasid caliphate from 750 to 1258 of the Christian era, characterised by the consolidation of realms and the integration of ideas. The Ummayads formed essentially an Arab State, whereas the Abbasids, a mixed governing class with the Arabs as one of the many component races, developed Persianised—Arab culture and diffused it throughout Asia. Islam obviously therefore, through the operation of its various political, legal and social influences, brought about an integration of cultures and peoples particularly in Western Asia.

The greatest foreign influence on the culture of Islam was ancient Greece. The Arabs were unable to appreciate Greek drama and sculpture and to understand the administration of the Greek city-state ; but under Hellenic and Hellenistic influences, they had to their credit remarkable achievements in medicine and pharmaceutics, mechanics and astronomy, music and optics, logic and dialectics, ethics and methaphysics. In search of Greek and Syriac manuscripts and in the course of their efforts, the Arabs internationalised knowledge and provided a meeting ground for world thought and ultimately translated and transmitted abroad the achievements of the Greeks in the different spheres of learning. The Arabs also drew upon the Sanskritic lore of India and widened their knowledge particularly of mathematics, astronomy and chemistry, and communicated the Indian numerals and decimal system to the European frontiers.

The study of Islam goes under the name of *Islāmiyāt*, meaning Islamics or Islamicology, which fosters the learning of the languages of the Middle East countries, modern and ancient, the literature, history, and culture of the peoples and develops professional, commercial and cultural relationship. It is treated as a complete subject and the special features of this discipline is that the political and cultural history of Islam is invariably included as a background of the purely religious discipline. It could easily be divided into two sections : ‘ *Ulūmu'n-Naqliyah*, meaning religious science which included the study of the *Qur'ān*, *Ḥadīth* and *Fiqh*, and *‘Ulūmu'l-‘Aqliyah*, meaning intellectual lore which comprised philosophy, mathematics, astronomy, physics, chemistry and medicine. It covers not only the usual religious science but also the introduction of the political history of the Muslim countries, the development of arts, sciences, and literatures of Muslim peoples and the progress of philosophic thought in Islam. The impact of Islam as a religious system and as a civilizing force in the life of humanity could be understood only by the study of literary, scientific, philosophic, artistic and intellectual developments, which have been more or less stimulated or rather directed by the Islamic ideals. To gauge the influence of Islam on civilization, one must not assess it merely as a religion but as a culture.

Culturally speaking, language was studied to understand the *Qur'ān*, mathematics to grasp inheritance laws, music to ensure the correct recital of the *Qur'ān*, astronomy to know the exact timings of prayers and fasting, polity to govern the state in accordance with the *Sharī'ah*, and architecture to cultivate the art of building mosques and tombs.

The learned members of this Conference, I am sure, will admit that individually it is not possible to give a fresh orientation to Islamic Studies or conserve the preservation of its Islamic treasures. Only collectively the great tradition of the Islamics could be maintained. To repeat, I am of the opinion, that the vastness of the subject is beyond the reach of a single individual and therefore, I crave your indulgence for my inability to cover this far-flung field of ages of Islamic learning.

Some noted scholars have tried to interpret scientifically Islamic and Arabic literature and purge history of the superstitions of the past. While this group of scholars whose works were rendered into the Arabic language threw a new light on our history, the light of recent and scientific research, the other group of scholars approached the study of Islamic and Arab history with a patriotic bias. The latter tried to find inspiration in Islamic and Arab history of their yearning for freedom and independence. The third approach to Islamics is even more interesting. The writers go back to the ancient classics, analyse critically their virtues and weaknesses, and insist on drecting the youth to creative work, through the study of the classics of the pre-Islamic and post-Islamic eras. In short, if what is classic is permanent, the study of Islamic languages, particularly, Arabic, Persian and Turkish are as imperative to the understanding of Islamic treasure as the study of Latin is necessary for the interpretation of European civilization or the study of Sanskrit is esssntial for the appreciation of ancient culture of India.

An analytical and interpretative study rather than merely factual, of Muslim history is very essential if the youth is to understand the influence of Islam and the permanent values of the culture.

Muslim historians of earlier ages were hampered by circumstances which restricted their vision. But it is the duty of the modern historian to study and interpret the subject, shorn of all misconceptions, misinterpretations and personal inclinations.

The history of intellectual movement is at least as important as that of concrete institutions and organizations, if not more. A vivid exposition of the literary, aesthetic and ethical works and accomplishments which have inspired collective intellectual expression through the course of centuries, would enable us to get a correct picture of the historical features of the period.

A detached study of Islamic history would certainly unify progressively all Islamic learning. Islamic history should give us a picture of Islamic society as a mobile and continually evolving entity without overlooking the important fact that man makes history under special circumstances. There is need to write the cultural and scientific history of Islam and its contribution to world culture. The modern historian woud enrich the contribution of Islamic culture, if he correlated it with Islamic archaeology. In this connection, I wish that the orientalists before they attempt the intepretation of Islamic history, should study the idiom of Islamic languages in their various functions.

Even in the life-time of the Prophet, Islamic philosophers discussed controversial religious issues and this helped the assimilation by Islam of Greek and Indian philosophy. But later philosophers like al-Kindī, al-Farābī, Ibn-Sīnā, Ibn-Ru'shd and others, erudite and original, divested Islam of foreign influences as its guiding forces. The Greek and Sanskrit works were translated into Arabic and preserved for posterity for their historical interest. Interest in the progress of science and technique, as well as in the study of world religions could be the only way to peace and freedom for mankind.

History records that the great civilization of the Islamic period is embodied in its thought and emotion, expressed and interpreted by the Islamic people. Poetry, anecdote, humour and wisdom have come down to us through generations. Unparalleled in the culture of the nations, Islam attracts scholarly fellowship. Philosophy, religion, history, literature, language, and art are co-operative culturally when they are free from the influence of politics and commerce.

Islamics, the historian must realize, is a permanent contribution to world progress. Islam co-ordinates world cultures. The historian unbiassed, should appreciate the role Islam plays in world philosophy and also world polity.

India has assimilated many cultures and the Arab schclarship is closely researched by this country because of the closeness of Arab and Indian thought. Other countries may not have understood the culture of Islam but India cannot and will not deny that Islamic culture is a apart of its composite culture.

The basic problem has been and more particularly for us is the integration of cultures. Islam has been contributively associated with ancient culture of India. Scholars should in my opinion, seek the sources of integration and not superficially disintegrate the two philosophies.

The relationship between India and Islamic countries is admittedly ancient. Our scholars must give it a continuity emphatically on its cultural values. The parochial attitude to culture is neither scholarly nor historical. But since scholarship extends its hand, though researching locally, to an universal understanding, admittedly, the culture of Islam cannot be exorcised from our national life.

The history of culture and civilization is always a history of interpretation of impact of one culture on the other, of a gradually growing fraternity and unity. The study of Islam naturally, has a direct bearing on the cultural heritage of India.

We are the inheritors of a great civilization that had spread over the whole of the Asian continent and that was nurtured by the skill, art, thought and work of the highest intellectuals of the East, and enriched by the various nations that have lived in this country for centuries, and left their permanent impress on the history of our nation.

Our knowledge of Islamic culture is very scant because our scholarship has not taken note of the hidden treasures, forsaken remains, neglected archives, unexplored collections, uncatalogued manuscripts and undeciphered documents.

I feel I am expected to review the progress of Islamic studies since the last session of the Conference when we met at the Campus of the Aligarh Muslim University. But as there is not very much achieved in this particular field, may I request you to allow me to tax your patience by giving expression to a few discursive thoughts on the progress of the Islamics.

From time immemorial, India has been a great civilization, the home of sublime ideals, of profound philosophy, and of widespread learning. It has therefore, attracted the attention of great minds and thinkers of different nations at different times. The record of activities of this country is full of epoch-making events in the history of Eastern civilization which has resulted in a synthetic culture, unity in deversity, intermingling of races and ideas, impact of various cultural movements and social institutions, resulting in homogeneity—unique in certain respects.

In Islamic Studies undoubtedly, India has no competitor. Indian scholars have contributed materially to the study and exposition of their culture, both in traditional and modern way of thinking, and have kept the torch of learning alive in India. The major universities in India like the Aligarh, Agra, Allahabad, Bombay, Culcutta, Delhi, Hyderabad, Madras, Patna, Nagpur Universities and other academies have post-graduate departments in Islamic Studies. Recognised experts and scholars have been associated with academic work in these universities and other academic bodies such as Dāru'l-Mu'ṣannafīn (Azamgarh), Nadwatu'l-Mu'ṣannafīn (Delhi), Dā'iratu'l-M'ārif (Hyderabad), Islamic Research Association (Bombay), Institute of Islamic Studies (' Aligarh), Islamic Culture Board (Hyderabad), Indian Institute of Islamic Studies (Delhi), Institute of Post-graduate Studies and Research in Arabic and Persian Learning (Patna), Indian Institute of Advanced Studies (Simla), Iran Society (Calcutta), Heras Institure of Indian History and Culture (Bombay) and Indian Council for Cultural Relations (Delhi) are bringing out a series of volumes and critical studies in modern style. These great institutions have been sustained and reorientated by the research and scholarship of erudite and profund scholars like Prof. Hu'māyūn Kabīr (Calcutta), Prof. A.A.A. Faiḍi (Bombay), Dr. Z. A. Ṣiddīquī (Calcutta), Dr. A. ʿAlīm (Aligarh), Dr. M. Niẓāmu'd-Dīn (Hyderabad), Dr. M.A.M'uīd Khān (Hyderabad), Prof. Ḥasan ʿ Askarī (Patna), Maulānā Sa'īd Aḥmad Akbarābādī (Aligarh), Maulānā Ṣabāḥu'd-Din ʿ Abdu'r-Reḥman (Azamgarh), Dr. Mu'khtāru'd-Din Aḥmad (Aligarh), Dr. M. Isḥāque (Calcutta), Dr. Syed Maqbū.l Aḥmad (Aligarh), Dr. Syed Na'īmu'd-Dīn (Aurangabad), Prof. M. Y. Kokan (Madras) Dr. Nazīr Aḥmad (Aligarh), Prof. Syed Ḥasan (Patna), Dr. Syed A. ' Ābidī (Delhi), Dr. Syed Rafī'u'd-Dīn (Nagpur) and a host of other scholars.

The research in Islamic Studies in India in the last few years has not been very encouraging or progressive enough. The Islamic languages in India particularly Arabic and Persian seem to be gradually surrendering the high academic stature they have been occupying for centuries in this country alongside other sister oriental languages. Some scholars are of the opinion that scholarship in this field is not only discouraged but even misinterpreted. Added to this is the anxiety that scholars committed to the advancement of Islamic learning and languages may be shut out of great educational institutions. But I am optimistic. A great culture does not seek its own demise. And the Islamic culture which has enriched the Indian culture and become a part of its heritage cannot go down the drain.

The cultural contact of Islam has proved a great civilizing force. The contribution of Indo-Muslim thought in the social, literary and intellectual renaissance both in the medieval and modern India has been considerable in literature, art, music, architecture and science. In other directions, the impact of Islam in the course of centuries has given rise to a literary and scientific spirit, mystic and philosophical thought, and new political ideals. It has opened up new fields for the advancement of learning and knowledge, particularly in history, including epigraphy, numismatics, fine arts, literature, philosophy and religion. Having taken stock of the situation as it exists, we must find fresh formulae to activate our efforts towards a new vision. There are other activities, equally or more important, which we certainly must develop with the least possible delay, for which the means are lacking or inadequate and must be supplied. It is imperative that we should have better facilities for publication, and considerable funds for the purpose. We need more and better fronts of Islamic Studies for our books and journals. We need an Islamic Review which is perhaps, the most urgent. The attempt should certainly be made, Keeping our standards high will be the surest way of gaining continued support from without. Again, we must be conscientious, too, in awarding doctoral degrees. We must do our utmost to continue the promising scholars longer in the educational institutions. And we must be extremely careful in recruiting men for the teaching profession. Should we lean on this as our basic orientation we would certainly be richly rewarded. Neglect of fundamental principle would be disastrous for all of us, such a small minority that already we are.

May I at the end of my address make a few suggestions. First, there should be a very close collaboration and exchange of information among scholars of Islamics in the various Indian universities and other educational institutions. This would eliminate unnecessary duplication, and mutual advice and consultation would bring about an improvement in the general tone and quality of their work. The advancement of knowedge rather than the acquisition of personal fame should be our aim, for no progress is possible without selfless work. Secondly, if we are going to promote Islamic Studies, let us seek the aid and co-operation of our elders in the field whom we are sometimes inclined to ignore. A wise combination of the rich and varied experience of the old and the energy and enthusiasm of the young, may bring about a tremendous improvement in the general level of research work and utilize a vast amount of literary talent which is unrecognized in our country. Thirdly, we must do all we can to make Arabic, Persian and Turkish studies as popular as possible and to provide adequate facilities for research work. These ends could be achieved by a thorough overhauling of our present courses of study and by adequate improvement of our libraries. Thousands of manuscripts have perished due to neglect but many more still lie beneath the thick coatings of accumulated dust in private and unknown libraries. Many works of rare literary value by Indian scholars are still unknown and remain unpublished. They have to be dug out from their places of concealment and displayed to the literary world. And fourthly, our educational institutions, colleges and universities should encourage the study of Islamic languages, literature, history, philosophy as disciplines of greater practical value. Science today may threaten the humanities, yet the hope exists that classical and oriental studies may serve mankind practically and usefully. At this stage of human progress and civilization, the study of Islamic disciplines would certainly contribute to the broadening of the human vision and throw the peoples of the world together in understanding sympathy and above all in oneness of the human race. All this and much more we can do if we shake off our present mood of complacency and *lassez faire* and by our joint efforts overcome all difficulties that may come our way. Then only we shall be able to keep alive Islamic Studies in India and impart to these a fresh vigour and new strength.

Now let me end with the hope that the Islamic Studies in our country be continued in the future, with the help and collaboration of our friends here and abroad, in order to cultivate and nurture a deeper understanding and finer brotherhood, and the scholars and historians, behind the esoteric veils of dates, facts, wars and revolutions, succeed in catching a glimpse of that single-learning light of God who in the words of the *Qu'rān* is neither eastern nor western.

Finally, I thank the learned audience for giving me a patient hearing, and the organizers of the Conference for giving me the opportunity to put accross my humble suggestions.

Thank you.

COGNITIVISM IN ETHICS

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A great deal of contemporary ethical analysis is concerned with showing that (*a*) moral words are not property-words (natural or non-natural), and (*b*) moral sentences, though indicative in their grammatical form, logically, are not descriptive in function—at least, not in a primary way. This view may be called for convenience the non-cognitivist view, and it is clearly opposed to the traditional view commonly known as Objectivism. The purpose of this paper is to defend the objectivist analysis of moral sentences. I intend to examine two critical arguments indended by R. M. Hare* to show the inherent weakness of the interpretation that moral sentences represent objective cognitive judgments. I will try to show that these arguments are not successful in disturbing the cognitivist interpretation.

I

Moral words, as interpreted by Hare, in their primary function are prescriptive. Moral sentences are not essentially theoretical, as commonly assumed, they have a practical and imperative force. To say : " X is good " is not really to describe X, to ascribe to it a predicate standing for a non-natural property. Rather, it is to commend it in accordance with certain criteria or standards. Thus, the primary function of the word "good" is an evaluative as opposed to descriptive function, namely, commendation. Hare adds that " good " may be said to have descriptive meaning in a secondary and indirect way. If one knows the criteria or standards whereby objects of class X are commended, the sentence " X is good ", apart from its primary evaluative meaning of commendation, will serve in describing the good-making characteristics possessed by that object. But the evaluative meaning is primarily not the descriptive meaning. I now propose to examine in detal the argument intended to prove this proposition.

In section 9.4 of the *Language of Morals*, Hare is concerned with showing that it is the evaluative meaning of the word " good," which is primary, and not the descriptive. He elaborates the example of the missionary who lands on a cannibal island, "armed with a grammar book ". By a strange concidence the equivalent of the English word "good" in the cannibal language is also the word " good ". Further, we may suppose that, in fact, the word " good " in the cannibal language has a meaning equivalent to that the English word has as given in the Oxford English Dictionary, that is : " the most general adjective of commendation ". To quote Hare at this point : " If the missionary has mastered his vocabulary, he can, *so long as he uses the word evaluatively and not descriptively*, communicate with them about morals quite happily. They know that when he uses the word he is commending the person or the object that he applies it to. The only thing that they will find odd is that he applies it to such unexpected people, people who are meek and gentle and do not collect large quantities of scalps ; whereas they themselves are accustomed to commend people who are bold and burly and collect more scalps than average. But they and the missionary are under no misapprehension about the meaning in the evaluative sense, of the word ' good ' ; it is the word one uses for commending. If they are under such a misapprehension, moral commonication between them would be impossible." (Page 148).

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* R. M. Hare, The Language of Morals, Oxford. 1952.

The last sentence to my mind is crucial. It seems to me that Hare's example has been misconceived since it fails to demonstrate the primary status of the evaluative meaning of the word " good ". Hare, on the strength of the fact that both the missionary and the cannibals understand the evaluative meaning of the word " good " as used for commending, concludes that this indicates the presence of " moral communication ". At the same time there is an obvious and admitted clash of ideals and values, inasmuch as each of the parties, the cannibals and the missionary, uses the word to commend different persons and objects. Thus, contrary to Hare's construction, the diversity of application clearly shows that, indeed, there is no " moral communication " ; in fact there is a moral gulf. Undoubtedly there is some form of communication, evidenced by both parties using the word in the same sense. But surely it is confusion to interpret this communication as moral communication. If anything, it is plainly a linguistic communication. Both parties understand each other, and to some extent seem to be agreed about the proper use of the word. But, certainly, quite the opposite of moral communication occurs in the situation

Now, what follows from the breakdown of Hare's argument? To say that it leads to the primacy of descriptive meaning would be premature. But, at least it is reasonable to assume that in keeping with Hare's own argument the evaluative function cannot be primarily Hare's conclusion about the primacy of evaluative function rests on the supposed fact of moral communication which is believed to result from the common understanding of the evaluative meaning. However, if I have succeeded in making my point clear Hare appears to be guilty of some confusion between what might be distinguished as " moral communication " and " linguistic communication ". There is, as a matter of fact, no real moral communication demanded to uphold his arugment. Hence, it seems not unreasonable to conclude that at least insofar as the proposition of the primacy of evaluative meaning is inferred from this particular premise, the premise being obviously false, Hare has failed to prove his contention. This seems to be a limited conclusion.

At this stage, however, I intend to go further and suggest that not only has Hare with the aid of the quoted example and the analysis failed to justify his conclusion, but, also that the analysis of Hare's own example may be shown to yield just the contrary conclusion, namely the primacy of descriptive meaning. But, in order to do this, I feel that it is necessary to examine this word " primary ", as I suspect that it has not been used unambiguously by Hare in the context. As I see it there seem to be two senses of the word in which according to Hare, the evaluative meaning of the word " good " is primary.

(1) According to one sense, the one of that Hare seems to hold explicitly, evaluative meaning is primary in that it is constant for both cannibals and the missionary, and presumably, Hare would hold, for all persons and societies. In contrast, the descriptive meaning, namely, the criteria according to which objects and persons are commended, varies. There are two comments I would like to make regarding this interpretation: (*a*) While it may be admitted that moral words like " good " have a practical and evaluative component which is constant or common, it is unnecessary and even misleading to indicate this feature by the classification " primary ". The identification and distiguishing of the commendatory function might, to some extent be deemed useful as illuminating or exhibiting the logical form of the moral word " good ". But, it is difficult to understand the reason why it is thought necessary to refer to this element as " primary "—a word which has a comparative and valuational implication, when a

neutral descriptive characterisation would be possible. It seems to me that some recent thinkers have tended to exaggerate the practical bearing of ethics out of all proportion to its importance. (*b*) Secondly, this criterion of constant meaning is not effective in dividing sharply the evaluative and descriptive components of moral words. On Hare's own account, though the criteria may vary from object to object, and from person to person, the word " good " cannot perform its evaluative function of commendation, out of relation to all criteria, showing that the descriptive meaning (as Hare uses the term) is necessary for the complete analysis of " good ". And, this descriptive element is implied in the commendation of the cannibal as much as in that of the missionary. Though in point of detail the particular criteria may vary, from the general viewpoint of the logical analysis of the form of moral words, the descriptive element is necessary, and, hence, constant.

(2) The second sense in which Hare seems to be using the word " primary ", is not perhaps explicit like the first, but is, I feel, nevertheless clearly implied in his argument. In this sense a concept is judged to be " primary " in terms of significance or importance. Thus, the evaluative meaning of the moral word " good " would be considered " primary " if it could be shown to be in some way essential and important for ethical intepretation and analysis. And, for Hare, the evaluative meaning in this sense is primary, since it is this evaluative meaning which makes possible the important fact of " moral communication ". In other words, evaluative meaning becomes the condition for moral communication. Now, my own view is that it is, indeed, the second of the two interpretations of " primary " which is satisfactory. Primacy of meaning must be assessed in terms of significance or importance rather than fixity or invariability. Hence, that component of the moral word " good " must be regarded as primary which serves as the basic feature or condition for moral analysis. But, if my earlier arguments have any cogency, I have shown, I think, that Hare is mistaken when he declares that evaluative meaning enables moral communication. On the contrary, moral communication which Hare believes to be the necessary condition for the analysis and determination of the primary strand in the complex meaning of " good ", only becomes a fact when there is a modicum of genuine agreement about the content, or the descirptive reference of the moral word between the protagonists of the moral dialogue. It would seem, then, that on Hare's own argument, and on the analysis of his example, it is the descriptive and not the evaluative meaning which has to be declare primary.

II

I will now turn to another critical argument in which Hare uses the example of the missionary on the cannibal island to to demonstrate the weakness of the Objectivist position that " good " is a property word.

If " good " were only a descriptive word, in the sense that it describes certain qualities of the action or the person to which or to whom the word is applied, then, Hare argues, there could never be any possibility of having synonymous words in different languages corresponding to the English word. There would be no word in the language of the cannibal to correspond to the meaning of the English word " good ", since the qualities which the English missionary would commend are different from the qualities commended by the cannibal. It is only because in both languages, the evaluative meaning of commendation is common, that there are synonymous words, that is, different symbols having the *same* meaning. From this Hare concludes that " good " cannot be said to be a quality word, like " red " ; that its function is not to describe any quality of the action or person. It seems that Hare is dismissing the interpretation of " good" as a property-word—on the analogy of " red " given in perception—on the grounds that, were " good " a property-word there would be no diversity in the descriptive meaning, as everybody could directly apprehend or ' see ' in some way what the quality was which was being described, just as there is no difficulty in directly perceiving " red " without there being any diversity in its description. But, the fact of diversity in the alleged description of " good " is unquestionable. The missionary means by " good ", among other things " doing no murder ". The cannibal means by " good " something quite different: among other things " productive of maximum scalps". This fact may be construed as implying: (*a*) that since the word obviously has different meanings it is not being used synonymously in the two languages, and, hence, that there is no real disagreement between the parties ; or (*b*) that the function of the word " good " is not to describe any property. But, the first alternative one cannot accept, since it leads to the dismissal of moral disagreement as illusory. In which case the second alternative has to be faced : in spite of appearences to the contrary, " good " is not descriptive, and that, hence, moral sentences are not objective judgements. This entire argument I will designate as the argument from moral relativism.

Now, I believe that this argument poses a serious difficulty against any facile acceptance of the Objectivist view, and, as such, it merits a serious answer. But, I also believe that a satisfactory rejoinder is not impossible, as I will try to show a little later. But, before I take up that problem I would first like to declare that while the actual argument from relativism constitutes a grave, critical objection, the argument as framed and advanced by Hare is based on certain confusion which lessens its force.

The argument as stated by Hare seems to be as follows. If " good " were primarily descriptive of some quality, like the word " red ", one of two propositions would be true : (*a*) There should not exist any diversity in the descriptive meaning of the word " good ", in the same way that there is no diversity in the descriptive use of the word " red " by different people. (*b*) In the event that such a diversity in the descriptive use of " good " does exist, to that extent one must admit that the various speakers are not using " good ", or its supposed equivalents, synonymously. Now, the first proposition, according to Hare is plainly false. To quote Hare : " ...in English (at any rate missionary English), ' good ' would mean among other things ' doing no murder ', whereas in the cannibals language ' good ' would mean something quite different, among other things ' productive of maximum scalps' ". But, to go on with the argument, the truth of the second proposition would not be acceptable to the Objectivist. Hence, " good " cannot be consistently interpreted as a property-word.

This argument to my mind is totally invalid. It rests on an ambiguous use of the expression " descriptive meaning " by Hare in the first proposition. Throughout the book Hare uses the expression in an extremely ususual sense : a sense in which no Objectivist would call " good " descriptive. Hare, I feel, does not distinguish sufficiently between the " descriptive meaning " of the word " good " and the various qualities of the thing which are characterised or described as " good ", that is, the various characteristics of the thing to which " good " is applied. The Objectivist would certainly distinguish between the objective meaning of " good " and characteristics like " doing no murder " or, " productive of maximum scalps ", (to use Hare's examples), which are chacterized as " good ", and to which " good " applies. Further, Objectivism would involve the assertion that the meaning of

" good " is its reference to some property possessed by the thing having certain other characteristics. The answer to the question, *what* property would define the species of Objectivism. In the context of this paper it is not necessary to weigh the relative merits of Naturalism and non-Naturalism, though I think the latter is theoretically the more sound position. But, in any case, the analysis of " good " as referring to a property—natural or non-natural —shows clearly that the *meaning* of " good " is constant and common throughout its various applications to different objects. As far as the meaning is concerned there occurs no relativism.

At this point somebody might object and ask whether in fact there does not exist a relativism in the meaning of " good " between the different Objectivist philosophers ? But, a scrutiny of Hare's argument will show clearly that it is not the relativism in the philosophical interpretation of the word " good " which is the basis of his argument ; rather it is the relativism arising from the contradictory application of the word to objects. His rejection of the primacy of descriptive meaning is grounded not in the philosopher's disagreement on interpretation of meaning, but in the moral agent's disagreement of the things described as " good ". And this basis, I feel, to be essentially unsound. And I think I have exhibited the confusion which it involves : the confusion regarding Hare's understanding of " descriptive meaning ".

Now, let us examine the more convincing version of the argument from relativism. If " good " were indeed the word for a property, or a characteristic, analogous to the word " red " descriptive of an empirical characteristic of objects, then, if an object— an action or person—really possessed this property, all individuals contemplating this object should immediately become aware of this property. There should be no possibility of one individual affirming the property of an object X, while another denied it. But, such a relativism is undeniably a fact. Hence, the word " good " could not possibly be a descriptive word ; that is, it could not be a word that describes an objective characteristic. " Red " is a word genuinely descriptive of an objective property, since the property is there for all to observe ; and, when it is present in an object there is no question of one individual affirming it of that object, and another denying it.

To my mind, the argument does not really prove what it is intended to prove. The fact of relativism does not necessarily lead us to the conclusion that the word " good " is not a word describing a characteristic. There is an alternative interpretation, which, I believe, is the right one : an interpretation falling within the framework of an Objectivist theory. No doubt, the first interpretation, the one favoured by Hare, that " good " is non-descriptive, is consistent with the premise of relativism. But, it is my contention that it is not the only interpretation which squares with the facts. Coming to this alternative interpretation, I would first like to stress the somewhat familiar distinction between meaning and truth. Thus, when one individual says " X is good ", meaning that X has a certain property, and the other says, " X is not good ", meaning that X has not that property, one should normally consider the opposition to be a factual opposition. In which case, one should further consider the question of truth, and judge that one of the two statements must be true, while the other must be false. What one does not normally conclude, and what I wish to stress, one does not have to concude is : (*a*) that the disagreement is one about the meaning of the word " good " ; or, (*b*) that the word as used by one or both the speakers is not used in a descriptive way. Hence, one way of putting it would be that the disagreement is factual, and as such admitting of truth-values, because the word " good " is used descriptively. Or, alternatively one might state that the word " good " is being used descriptively, since otherwise the disagreement between the parties would not be a factual one, and to say of either moral sentence that it is true or not true would be meaningless. Thus, the relativism is about the truth of the sentence containing the word " good " ; it is not with regard the meaning of the word. The fact of relativism may be thus interpreted as showing not that " good" does not describe an objective property, but rather that one of the conflicting judgements is erroneous. After all, even in the case of comparable perceptual situations, empiricists today declare fallibility to be the logical characteristic of empirical knowledge. If such fallibility, with the risk of relativism regarding truth, which it leads to, is assumed not to destroy the objectivity of empirical characteristics, it is difficult to see why it should be considered to be so in the case of " good ", unless it is the lurking prejudice against the conception of non-natural property as being unscientific and mystical. If that be the case, without a better argument which may replace the prejudice, there is not good reason why the theory of the descriptive meaning of the word " good" should after all be rejected.

Introducing a forthcoming Monograph

on

THE SYMBOL OF THE DOUBLE-HEADED EAGLE: ITS ORIGIN, DIFFUSION AND SIGNIFICANCE

A Study in the Migration of Symbols

By J. Patrocinio De Souza

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OF the making of symbols there is no end. Man, says Thomas Carlyle, " everywhere finds himself encompassed with Symbols, recognised as such or not recognised : ....It is in and through Symbols that man, consciously or unconsciously, lives, works, and has his being."[1] Now, among the ingenious devices which the symbol-making tendency in man has produced, few are more bizarre, few more widely diffused, few have had a more glorious history, than the double-headed eagle displayed. The range of its distribution extends from the Arctic Circle to the Equator, and covers both the continents of Europe and Asia. Having its origin in the dim past, the motif became stereotyped as the Imperial Eagle of mediaeval and modern Europe.

Where, when, how and why this strange symbol originated are questions that have intrigued modern scholars. Did it develop independently in the various regions where it occurs or did it spread from one or more centres through political, commercial or cultural contact ? " It is difficult to admit," writes Eugene Goblet Count D'Alviella, " that on both sides (Europe and Asia) there was conceived spontaneously on identical lines a representation of the eagle so contrary to the laws of nature."[2] And all those writers on symbols, who, like D'Alviella, adhere to the theory of their migration, are of the view that the device of the spread double-headed eagle was diffused from one main centre.

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[1] Carlyle, T., *Sartor Resartus* (London, 1836). The chapter on ' Symbols '.

[2] D'Alviella, E. G. Count, *The Migration of Symbols* (London, 1894), p. 22.

Presuming that the wide distribution of the symbol in the Old World was due to migration, the further question arises: did it migrate from Europe to Asia or was it the other way about? The earlier writers on European heraldry, apparently ignorant of its prior appearance in Asian art, were generally of the opinion that the Imperial Eagle originated in Europe by the dimidiation upon one shield of two separate coats of arms. Typical of this view was the one expressed by Nisbet, who asserted that the Imperial Eagle was " not one eagle with two heads, but two eagles, the one laid upon the other, and their heads separate, looking different ways, which represent the two heads of the Empire after it was divided into East and West."[3] The Rev. Charles Boutell, a well-known English writer on heraldry. also assumed that the double-headed eagle " typified a rule that claimed to extend over both the Eastern and Western Empires as the eagle with a single head might be considered to have a less comprehensive signification."[4] This, as Fox-Davies, a later writer on heraldry, remarks, " is an apt example of the habit of earlier writers to find or provide hidden meanings and symbolisms when no such meanings existed."[5]

The truth is that the motif of the double-headed eagle had been in existence in Europe as a decorative and heraldic device long before it was adopted as its badge by the Western Empire.[6] M. de Longpérier showed that it was only about A.D. 1345 that the eagle with two heads replaced the one with a single head, which had been inherited from the old Roman Empire, in the armorial bearings of the Holy Roman Empire.[7]

All the available evidence points to the migration of the symbol to Western Europe from Asia Minor during the Crusades, for the device of the double-headed eagle is not to be found earlier in Eruopean art, whereas it figured on the coins and standards of the Turkomans, then the ruling power in Asia Minor, with whom the Crusaders had to contend. The Turkomans themselves probably copied the motif from the sculptures at Alacahüyük and Yazilikaya.

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[3] Fox-Davies, A. C., *A Complete Guide to Heraldry* (London, 1909), p. 238.

[4] Boutell, Rev. C., *English Heraldry* (London, 1867), pp. 93-94.

[5] Fox-Davies, A. C., *op. cit.*, p. 238.

[6] Mâle, E., *L'Art religieux du XIIe Siècle en France* (1924), pp. 349ff. Cited by J. Marshall in *Taxila*, Vol. I, p. 164, n. 1 ; Dalton, O. M., *Byzantine Art and Architecture* (London, 1911), p. 707, n. 2 ; Birdwood, G., Introduction to D'Alviella's *The Migration of Symbols*, p. xii f.

[7] D'Alviella, E. G. Count, *op. cit.*, p. 22.

" Thus " observes M. G. Perrot, " there would seem to have been transplanted into modern Europe a symbol belonging originally to an Asiatic creed of the highest antiquity."[8]

However, Heinrich Schliemann's discovery, while excavating certain graves at Mycenae, of several gold fibulae in the form of two eagles leaning against each other with their heads turned to face in opposite directions, seemed to negative Perrot's conclusion[9] (Fig. 1). C. Schuchhardt considered them to be " the oldest proto-

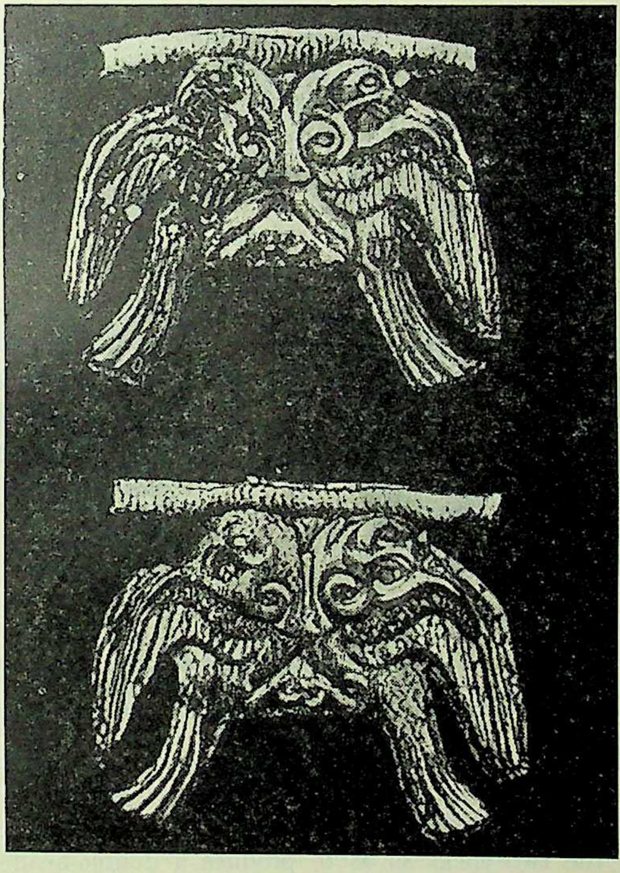

Fig. 1. Double eagles of Gold Plate from Grave V at Mycenae. A possible stage in the evolution of the motif of the spread double-headed eagle. (After C. Schuchhardt, *Schliemann's Excavations*, figure 264, p.262.).

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[8] Perrot, G., and Chipiez, C., *L' Art dans l'antiquité*, Vol. IV, p. 683. Cited by D'Alviella, *op. cit.*, p. 22, n.1.

[9] Sciliemann, H., *Mycenae and Tiryns* (London, 1878), p. 183, fig. 274 ; Schuchhardt, C., *Schliemann's Excavations* (London, 1891), p. 262, fig. 264. D'Alviella, E. G. Count, *op. cit.*, p. 25, figs. 8 and 9.

types of the double-headed eagle,"[10] while Count D'Alviella suggested that the double-headed eagle of Hittite sculptures was the product of the fusion of the two eagles of the Mycenaean gold fibulae owing to the misunderstanding by the copyist in Asia Minor of "the real meaning of the Mycenaean image," and he flamboyantly declared, "When, therefore, the Double-headed Eagle changed sides in the thirteenth century of our era, during the struggle which has waged for more than thirty centuries between Europe and Asia, it did nothing else than return, after many wanderings, to its original home."[11]

This flight of fancy seems to find support in a most unlikely place—among the contents of the Scythian burial mounds at Paziric in the Altai region of Southern Russia. The excavations of these mounds have yielded certain cock silhouettes cut out of leather, and then gilt. Two of the most interesting of these designs from Mound 1, dating back to the 5th century B. C., are displayed by Tamara Talbot Rice in *The Scythians*[12] (Fig. 2). One represents two cocks with their bodies pressing against each other but with their heads turned back in the manner of the Mycenaean double eagles. The other design, it would seem, was formed by the coalescence of the two cocks so as to produce a double-headed cock. These and other versions of the device of the cock, which like the eagle was a solar emblem, are "the prototypes of all the later Slav renderings of this motif."[13]

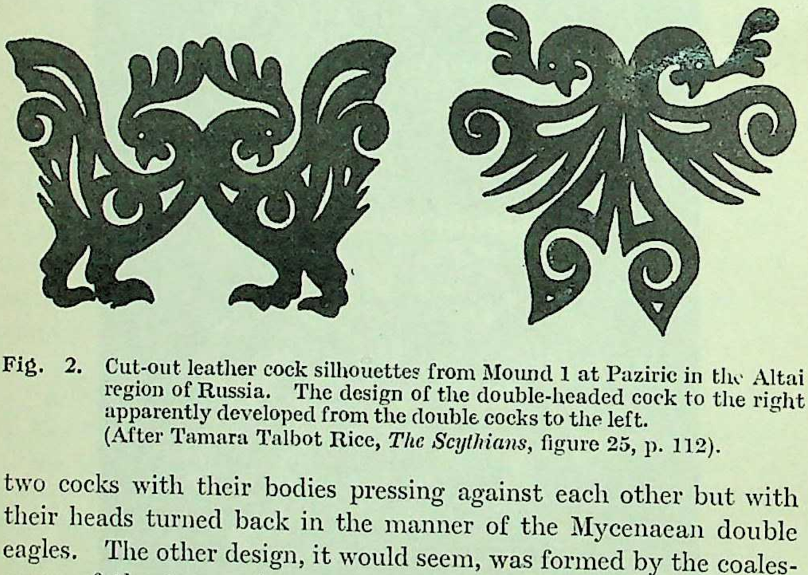

Fig. 2. Cut-out leather cock silhouettes from Mound 1 at Paziric in the Altai region of Russia. The design of the double-headed cock to the right apparently developed from the double cocks to the left.
(After Tamara Talbot Rice, *The Scythians*, figure 25, p. 112).

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[10] Schuchhardt, C., *op. cit.*, p. 201.

[11] D'Alviella, E. G. Count, *op. cit.*, p. 25.

[12] Talbot Rice, T., *The Scythians* (London, 1957), p. 112, fig. 25.

[13] *Ibid.*, p. 182.

Could D'Alviella have seen these cock silhouettes, he would have, most assuredly, exclaimed: "Here is the proof of my thesis." But is it really so ? That the artistic transition from double cocks to the double-headed cock could have taken place so easily would seem to strain credulity. It is too big a jump. It is much more likely that both these designs were already well-known artistic devices, and the Paziric artist merely copied them, adding a few typically Scythian touches, like giving the cocks' combs an antler-like appearance. This blend of abstraction and reality is characteristic of Scythian art. But the basic designs themselves probably migrated from Mycenae and West Asia. One thing is certain: there was Mycenaean influence on Scythian art and architecture. For example, the Scythian burial chamber at Altin Oba in the Black Sea area, which "was built of enormous blocks of dressed stone, set to overlap each other so as to meet in the centre in an impressive pointed vault",[14] is powerfully reminiscent of Mycenaean construction.

In any case, the progress of archaeology has shown that the European discovery of the Hittite sculptures and of the Mycenaean fibulae was not the end of the search for the prototype of the double-headed bird. Excavations carried out in southern Mesopotamia revealed that the symbol was carved on Sumerian cylinder seals centuries before it was sculpted in Asia Minor. The striking resemblance between its representation in the two countries seemed to make its migration from Mesopotamia to Asia Minor a near certainty. Thus, it was the discovery of the earlier occurrence of the symbol on Mesopotamian monuments that helped to unravel the mystery of the origin of the motif of the double-headed eagle.

With this knowledge, it is no longer necessary to speculate, as an Indian archaeologist did, whether the device had its birth "in the Indus Valley of the Copper Age or in early Mesopotamia along with the Sphinx and the Gryphon."[15] No relic figuring the double-headed eagle has been brought to light by the excavations carried out at the various sites covered by the so-called Indus Valley civilization, and all clues point to Mesopotamia as the original home of the symbol.

Its probable origin in Mesopotamia immensely aided its diffusion over a wide area, for Mesopotamia lay at the cross-roads of the ancient cultural world. This is well brought out by Anton Moortgat, who writes, "The ancient western Asian land of Mesopotamia—'the land between rivers', the Tigris and the Euphrates—was from the end of the 4th millennium until the middle of the 1st the site of a major civilization that in antiquity and in duration is comparable only to the other great river-valley civilization of the near East, that of Egypt . . . . Egyptian art, however, as a result of ethnic homogeneity and geographical autonomy, was relatively isolated and self-contained, whereas Mesopotamian art, sprung from a complex of prehistoric and protohistoric cultures. . . . drew on a diversity of ethnic elements (Sumerian, Semitic, Indo-European) and underwent great vicissitudes in history, achieving a remarkable variety and manifesting a great power of expansion. This power, which made the art of Mesopotamia the pivot of art development in its area,. . . .was manifest at least from the beginning of the 3rd millennium in Elam. . . .and to some extent in Egypt itself; at least from the 2nd millennium in Anatolia . . . . and Syria-Palestine. . . .from the 1st millennium in Arabia...., in Achaemenid Iran and in Greece. Thus Mesopotamia appears as the major centre of artistic and, more broadly, of cultural radiation of the ancient near East, in other words, of the preclassical world."[16]

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[14] *Ibid.*, p. 96.

[15] *Annual Reports of the Mysore Archaeological Department*, 1930, p. 78.

When we suggested that the European Imperial Eagle developed from the device of the double-headed bird which the Crusaders brought to Europe from Asia Minor, we did not wish to imply that the continent of Europe had not at all known the motif before the Crusades. In fact, it made its appearance there early in the first millennium before Christ. An ivory fibula, found at the ancient shrine of Artemis Orthia in Sparta with geometric pottery and, therefore, dated by R. M. Dawkins before 740 B. C., is shaped in the form of a spread double-headed eagle, with the eyes made of amber inlays, of which one is still in place. The right head of the eagle is broken.[17] The symbol, however, does not appear to have struck roots in Greece or in other parts of Europe in ancient times. We do not come across other examples of this bird till the Middle Ages. The stray Spartan specimen seems to have migrated from Asia Minor, where the cult of the double-headed eagle was so popular.

[16] *Encyclopaedia of World Art*, Vol. IX., Columns 736-739.

[17] *Artemis Orthia*, *Journal of the Hellenic Society*, Supplementary Volume5, p. 225 and Pl. CXXXIV, No. 1.

The double-headed eagle of the Hittites was later on adopted by some of the Byzantine Emperors, and it was from the Byzantine Empire that the symbol was taken over by the Russian Tsars, who were not indebted for it to the Scythians as Sir John Marshall surmises,[18] nor to the mediaeval German Emperors as M. G. Perrot[19] and A. H. Sayce[20] suppose. "The essential conceptions of Byzantium," rightly observes Ernest Barker, "were inherited on the one hand by the Russian Tsars, successors of the Caesars by marriage and governors of their Church through the Holy Synod, and on the other by the Turkish Sultan, at once Keisar-i-Rum in virtue of Constantinople and Commander of the Faithful in virtue of succession to the Prophet."[21] Ivan III, who married Sophia Palaeologus of Byzantium, was the first Russian ruler to use the title of Tsar on documents and on coins. It was also he who adopted the Byzantine crest of the double-headed eagle.[22] Ivan IV was the first Russian sovereign to have himself crowned Tsar in 1547, and since that time down to the end of Tsarist rule in 1917 the double-headed eagle remained the heraldic ensign of the Russian Empire.

In the inevitable absence of written documents recording the origin and migration of the symbol, neither its origin in Mesopotamia nor its migration therefrom can be established with absolute certainty. For, neither of the two principal test ;—contact and chronology—by which the migration of symbols may be determined is foolproof. It may be possible to demonstrate both contact and borrowing between two cultures and civilizations, and yet it may not be possible to establish that any particular symbol was borrowed by the one from the other. The chronological argument also has its own limitations. There may be no necessary link between the earlier and the later occurrence of the same symbol in two different places. *Post hoc* is not necessarily *propter hoc*. Still, chronology is indispensable in determining migration. As Rudolf Wittkower observes, "The most important part of such an investigation is chronology, for the proof of the migration theory depends on it." But the difficulty in ascertaining the chronology in such cases lies in the fact, Wittkower himself points out, that "dates in ethnological material must quite often be based on uncertain suppositions."[23]

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[18] Marshall, J., *A Guide to Taxila*, 3rd edition (Delhi 1936), p. 88 ; *Taxila*, 3 volumes (1951), Vol. I, p. 164.

[19] Perrot, G., and Chipiez, C., *History of Art in Sardinia, Judaea, Syria and Asia Minor* (London, 1890), Vol. II, p. 175.

[20] Sayce, A. H., *The Hittites* (London, 1910), p. 84.

[21] Bailey, C., (Ed.), *The Legacy of Rome* (Oxford, 1923), pp. 83-84.

[22] *Ibid*, p. 83, n. 1.

The inadequacy of the methods of establishing the migration of symbols, however, is not a serious handicap in determining the origin and diffusion of the motif of the double-headed eagle. Not only is there fair certainty about both contact and chronology, but there is also the extraordinary character of the symbol itself which creates a strong presumption in favour of its unique origin and subsequent migration. Unless, therefore, evidence to the contrary is forthcoming, it would not be unreasonable to maintain that the symbol of the double-headed eagle originated in Mesopotamia and was diffused from there.

This proposition, however, is true only of the spread double-headed eagle, and, curiously enough, scholars have so far confined their study to the origin and migration of this particular type, whether the two heads be of birds or lions. But this is not the only form in which the symbol is represented in art. There are, in fact, two other designs—one the double-headed eagle *passant*, the other a composite creature with a human body and two bird-heads. These two types are found only in Indian art. It is strange but true that the earliest representation of the symbol in Indian art is as a double-headed bird *passant* on a monument at Sirkap (Taxila) in the north-west corner of undivided India, whence it found its way to eastern and southern India. The composite bird-man type is, however, to be found only in South Indian art, which also abounds in examples of the spread double-headed bird form. From South India the motif of the spread double-headed eagle migrated to Ceylon, where it was, for instance, displayed on the flag of Tuna Kōrale.[24]

That the symbol is not indigenous to India is proved by the fact that it first occurs in north-west India at a time when that part of the country was under foreign rule. It is seen perched on a *tōrana* decorating the plinth of a stūpa at Sirkap (Taxila)[25] of Scytho-Parthian date (Fig. 3). Sir John Marshall believes that it was the Scythians (Śakas) who introduced the motif at Taxila.[26] J. E. Van Lohuizen-De Leeuw goes further and says, "As it was such a specific Scythian motif it is very difficult to assume that the Parthian monarchs would have made use of it, and thus this double-headed eagle might also point to the fact that the stūpa was built in the 1st century A. D., probably during the reign of Kujūla Kadphises."[27] Now, the Śaka rulers of Taxila came from eastern Iran,[28] so the symbol seems to have migrated to India from Iran, where it figured on Arsacian intaglios.[29]

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[23] Wittkower, R., "Eagle and Serpent", *The Journal of the Warburg Institute*, Vol. II, 1939, No. 4, April, p. 293.

[24] Perera, E. W., *Sinhalese Banners and Standards* (Memoirs of the Colombo Museum, Series A, No. 2, Colombo, 1916), Pl. XIII, fig.32 ; Coomaraswamy, A. K., *Mediaeval Sinhalese Art*, 2nd edition, revised (Pantheon Books Inc., New York, 1956), p. 85, fig. 18A.

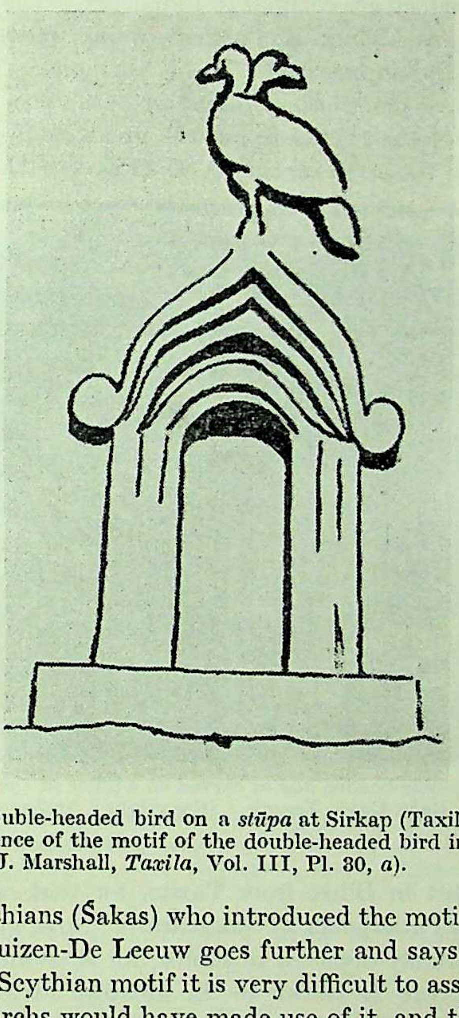

Fig. 3. The double-headed bird on a *stūpa* at Sirkap (Taxila). The earliest occurrence of the motif of the double-headed bird in Indian art. (After J. Marshall, *Taxila*, Vol. III, Pl. 30, *a*).

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[25] Marshall, J., *A Guide to Taxila*, 3rd edition, Pl. XIII ; *Taxila*, Vol. III, Pl. 30(*a*) ; Woodcock, G., *The Greeks in India* (London, 1966), Pls. 4 and 5.

[26] *A Guide to Taxila*, p. 88 ; *Taxila*, Vol. I, p. 164.

[27] Lohuizen-De Leeuw, J. E., *The "Scythian" Period* (London, 1949), p. 86.

[28] Chattopadhyaya, S., *The Śakas in India* (Santiniketan, 1955), p. 5.

[29] D'Alviella, E. G. Count, *op. cit*, p. 23, fig. 6.

In the present work, we have put forward what appear to be the most plausible explanations of the origin of the two forms of the symbol which are peculiar to Indian art. The double-headed bird of Taxila, as Ananda K. Coomaraswamy well observes, looks more like the Indian *haṃsa*.[30] This is particularly true of the second example of the motif in Indian art—the one carved on one of the pillars of the railing round the great Bodh-Gayā Temple, dating back to the sixth century A. D. (Fig. 4) The symbol apparently travelled to Bihar from Taxila, for that city lay on the highway from Pataliputra to Gandhara.[31] Now, in Indian art the *haṁṣa* is invariably depicted in profile, for it is only in this pose that this bird can be shown to the greatest advantage. That is probably how the double-headed eagle came to be represented *passant* in Indian art.

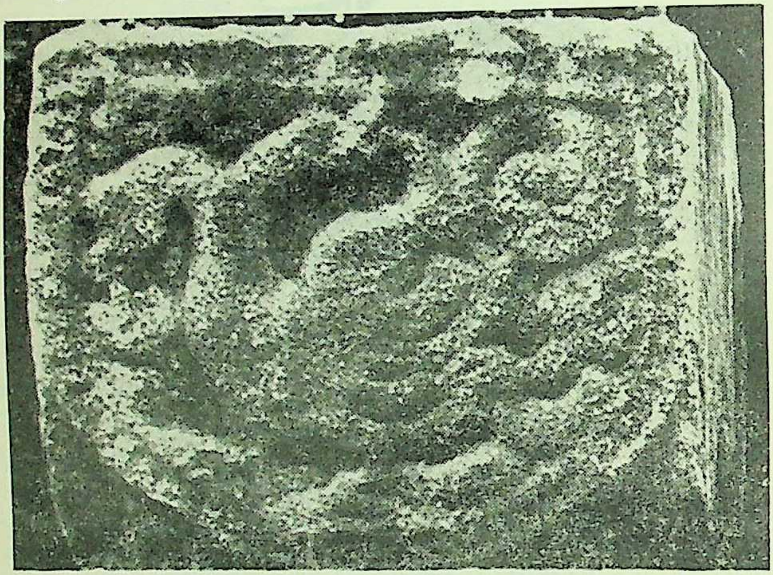

Fig. 4. The double-headed *haṃsa* carved on a pillar of the railing round the great Bodh-Gayā Temple. (Copyright: Archaeological Survey of India).

There is yet another explanation. It is possible that the motif of the double-headed eagle *passant* came ready-made to India, having developed from an artistic process like the one exhibited in the restored drawing by M. E. Gillieron Fils of the Partridge and Hoopoe Fresco originally painted on the pavilion of the Caravanserai in the vicinity of the Palace of Minos at Knossos in Crete. In the hoopoe frieze we see more than one pair of birds *passant* to left. Although their legs are distinctly seen, the body of the one is partly concealed by the body of the other, and the head of the one is turned back so as to face in a direction opposite to that of the other bird[32] (Fig. 5). A representation of this kind could well be the prototype of the Taxila bird. The Cretan design itself is probably of Asiatic origin. For, "it has now been proved without doubt that Crete owes the best of its architecture and its frescoes to the Asiatic mainland."[33]

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[30] Coomaraswamy, A. K., *Mughal Painting* (Catalogue of the Indian Collections in the Museum of Fine Arts, Boston, Part VI, Cambridge, Mass., 1930), p. 92.

[31] Przyluski, *La Legende de l'empereur Aśoka*, p. 9. Cited by S. Chattopadhyaya, *op. cit.*, p. 81, n. 5.

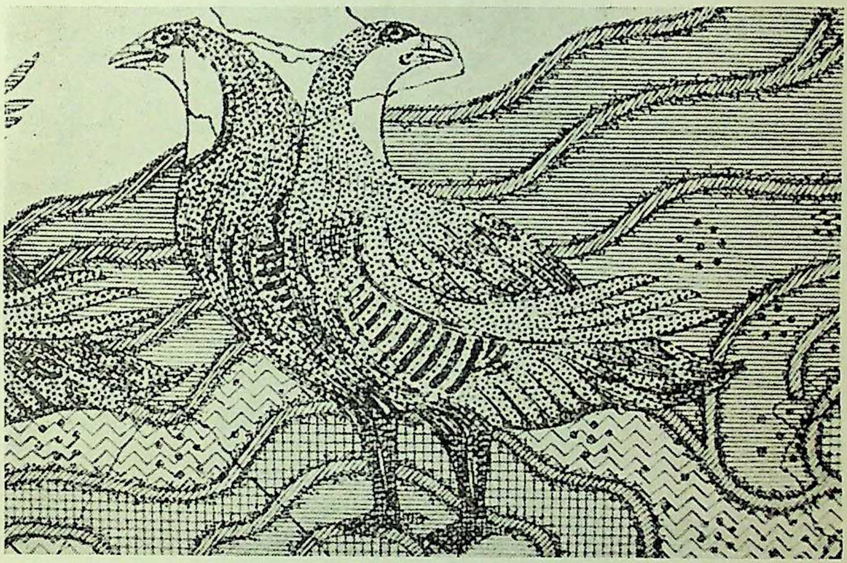

Fig. 5. Double hoopoes from the Partridge and Hoopoe Fresco, as restored by M. Gilliéron, Fils, painted on the Pavilion of the Caravanserai near the Palace of Minos at Knosses in Crete. A possible stage in the development of the motif of the double-headed bird *passant*.

(After A. Evans, *The Palace of Minos at Knossos*, Vol. II, Part I, Fig. 52, p. 115).

The representation of the double-headed eagle as a composite bird-man creature, as we have already stated, is to be found only in South Indian art. The motif occurs for the first time in the form of a stone image surmounting the tall monolith Gandabhēruṇḍa pillar at Belagāmi, in the Shikarpur taluka of the Shimoga district, Mysore State[34] (Fig. 6). This remarkable monument was erected in A. D. 1047 by the Kadamba chief, Mahāmaṇḍalēśvara Chāmunda Rāyarasa, governor of Banavāsi, Sāntalige and Hayve, as far as the Western Ocean, under the suzerainty of the Chalukya Sómēśvara I Trailokya Malla Dēva.[35] But the fine image on the

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[32] Evans, A., *The Palace of Minos . . . . . . at Knossos* (London, 1921-1935), Vol. II, Part I, Frontispiece and fig. 52, p. 115 ; Pendlebury, J. D. S., *Handbook to the Palace at Knossos with its Dependencies* (London, 1935), Pl. XII.

[33] Lyle, E., *The Search for the Royal Road* (London, 1966), p. 141.

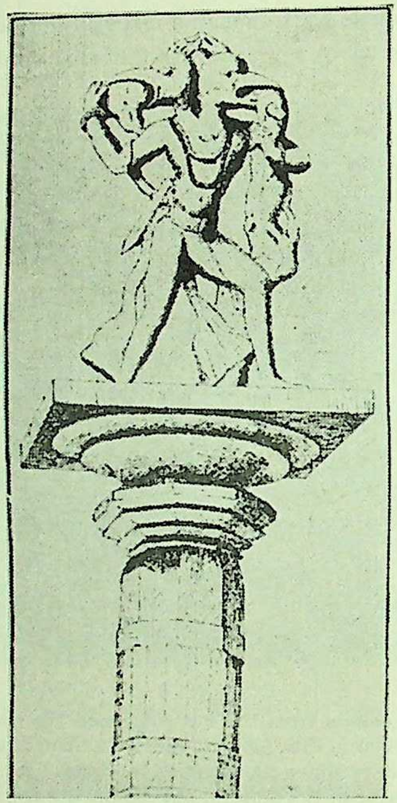

Fig. 6. The original image of Bhēruṇḍēśvara on the top of the Gandabhēruṇḍa Pillar at Belagāmi, Mysore State.

(After H. Cousens, *Chalukyan Architecture of the Kanarese Districts*, Fig. 32, p. 108.).

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[34] Cousens, H., *Chalukyan Architecture of the Kanarese Districts* (Archaeological Survey of India, Vol. XLII, New Imperial Series, Calcutta, 1926); *Epigraphia Carnatica*, Vol. VII, Part I, Pl. opposite, p. 8.

[35] *Epigraphia Carnatica*, Vol. VII, Part I, Sk. 151.

top of the pillar was thrown down by unknown vandals and broken to small pieces. A new image (Fig. 7) was prepared by Shri Siddhalingasvāmi of the Nāgalinga Matt, Krishnaraja Mohalla, Mysore a sculptor with considerable knowledge of iconography.[36]

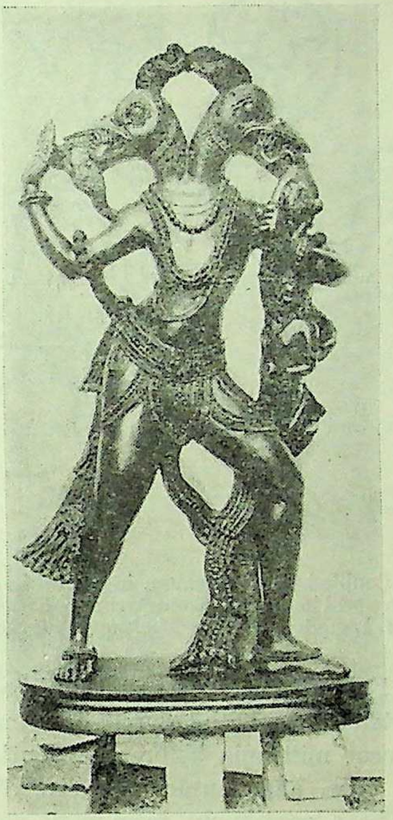

Fig. 7. The new image of Bhēruṇḍēśvara surmounting the Gandabhēruṇda Pillar at Belagāmi.
(Copyright : Department of Archaeology, Mysore).

How did this particular motif originate ? Probably, this manner of representing the double-headed bird may have been suggested by the sculputures of Garuḍa, the giant eagle of Indian mythology, which, in Post-Aśōkan art, is almost invariably represented as a man with certain bird features, like a beak-like nose. Or, the motif may have been imported from West Asia,[37] (Fg. 8),

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[36] *Annual Reports of the Mysore Archaeological Department*, 1937, p. 73 and Pl. XXI, 2.

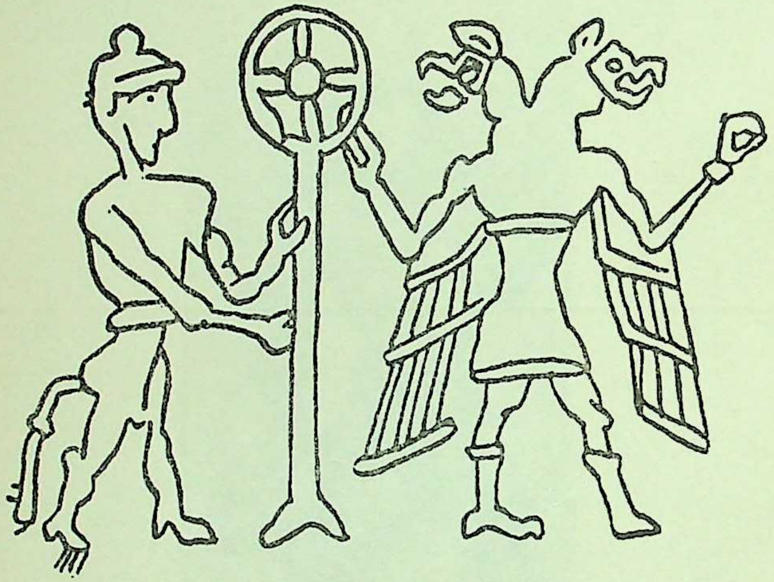

Fig. 8. A winged double-headed daemon, identified by some scholars with Marduk, on a seal impression from Arrapha, Kirkuk (Assyrian). (After S. H. Langdon, *Semitic Mythology*, Fig. 39, p. 69).

where, as also in Egypt,[38] (Fg. 9), we find both gods and daemons occasionally depicted as men with two bird or animal heads. These representations occur millennia before the South Indian double-headed man-bird type, and contact between Western Asia and South India has been continuous from very ancient times.[39]

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[37] Osten, H. H. Von Der, *Ancient Oriental Seals in the Collection of Edward T. Newell* (The University of Chicago Oriental Institute Publications, Vol. XXII, Chicago, 1934), Pl. XXIV, No. 259; Ward, W. H., *The Seal Cylinders of Western Asia* (Washington, D.C., 1910), p. 304, figs. 953 and 954, p. 305, fig.956a p. 316, figs. 1000 and 1001, p. 353, fig. 212; Evans, A., *The Palace of Minos ………at Knossos*, Vol. IV, Part I, p. 375, fig. 313b; Oppenheim, M. Von, *Tell Halaf* (1931), Pl. XXXIII A; Frankfort, H., *Cylinder Seals* (London, 1939), p. 187, fig. 59, p. 271, fig. 87; Smith, S., *Early History of Assyria* (London, 1928), p. 326, fig. 18, p. 329, fig. 21.: Langdon, S. H., *Mythology of All Nations—Semitic* (Boston, 1931), p. 69, fig. 39; Delaporte, L., *Mesopotamia* (London, 1925.), p. 334, fig. 54; Contenau, G., *Manuel, D'Archéologie Orientale* (Paris, 1927-1947), Vol. IV, p. 2189, fig. 1222; Loud, L., *The Megiddo Ivories* (The University of Chicago Oriental Institute Publications, Vol. LII, Chicago, 1939)., Pl. 11, f; Godard, A., *The Art of Iran* (London, 1965), Pl. 34; Porada, E., *Ancient Iran* (London, 1965) p. 93, Pl. 22b.

[38] Wallis Budge, E. A., *The Greenfield Papyrus in the British Museum* (London, 1912), Pls. XIV and LXXXVII; *The Gods of the Egyptians* (London, 1904), Vol. I, figs. on pp. 195, 197, 475.

[39] Sastri, K. A. Nilkanta, *A History of South India*, 3rd edition (Madras, 1966), pp. 62–65, 79–80, 141, 150, 244, 274.

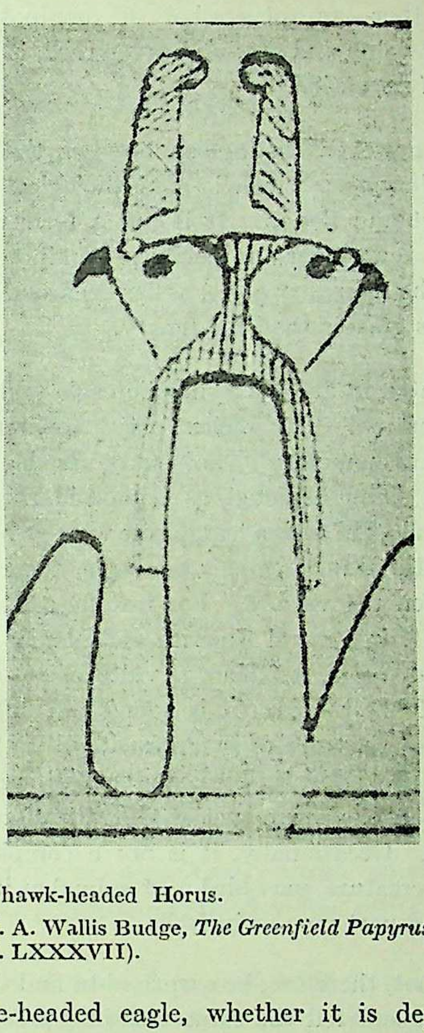

Fig. 9. Double hawk-headed Horus.
(After E. A. Wallis Budge, *The Greenfield Papyrus in the British Museum*, Pl. LXXXVII).

The double-headed eagle, whether it is depicted full-face, in profile or as a composite creature, with or without diminutive elephants in beaks and claws or hands, is an artistic development of the eagle with one head, inheriting its complex symbolism and enriching it with what further meaning could be extracted from its bicephalous character. As the most majestic of birds, the eagle has been often considered to be the symbol of authority and power. To the Sumerians it was a symbol of fertility,[40] to the Greeks and the Romans an attribute of their supreme god, Zeus-Jupiter, and a symbol of victory. As an emblem of the sky and the sun, it has been credited with possessing the vastness of the one and the energy of the other—an apt symbol of omnipotence. Dwelling at inaccessible heights and soaring heavenward, it is also a symbol of ascent and of Ascension.[41]

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[40] This is demonstrated in the body of the monograph.

We must, however, distinguish between the eagle of nature and the symbolic eagle, which is a mythological bird, a strange amalgam of fact and fiction. It is but a form of the universal 'Wundervogel', enormous, invincible, omnipotent. Verily, it may be said of the legendary eagle, as has been said of Magna Carta, that the myth is greater than the reality.

As represented in art, the symbolic eagle seldom corresponds to the bird of nature. The ancient artist apparently cared little for 'ornithological homology'. So, many are the forms in which it is represented, being depicted, as Donald Mackenzie points out, "in a local natural form or as a 'composite wonder beast' or 'wonder man'."[42] Sometimes it resembles the eagle, sometimes the hawk or falcon, or even the vulture. For instance, "the bird perched on the tree of life in Central America and Mexico is indifferently represented as an eagle, a falcon, a vulture."[43] On the ancient cylinder seals of West Asia, "it is sometimes difficult to decide whether an eagle or a vulture is represented."[44] Sometimes it is shown as a long-necked water-bird, and sometimes it has the features of more than one avian species and, therefore, looks like no bird in creation. Occasionally, it is not a complete bird at all, but a composite creature, part bird part animal as in Mesopotamia, and part bird and part man as in India.

We should not, therefore, be surprised to find that the double-headed eagle has suffered the same fate in representation as the single-headed one. Sometimes it resembles the eagle, as in European heraldry. At Tell Halaf it is represented as a water-bird with two long necks. Its Scythian counterpart is the cock. In India the symbol is sometimes represented as an *haṃsa* with two heads. Sometimes it is altogether fabulous, combining the features of many a bird, according to the fancy of the artist. Its southern Mesopotamian form is as a composite creature with the body of a bird and two heads of lions, which developed from the Sumerian lion-headed eagle. In South India it is often shown with a human body and two bird-heads.

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[41] For the symbolism of the eagle see Whittick A., *Symbols, Signs and their Meaning* (London, 1960), p. 178.

[42] Mackenzie, D., *Myths of Pre-Columbian America* (London, n.d.), p. 53.

[43] M. Venktesia, "Romance of the Mythical Eagle", *The Quarterly Journal of the Mythic Society*, Silver Jubilee Number, Vol. XXV, Nos. 1, 2 and 3 (1934-35), p. 183.

[44] Osten, H. H. Von Der, *op. cit.*, p. 102.

Arising in Mesopotamia from an attempt at symmetry, as a purely artistic creation dictated by the necessities of design, without any special symbolic meaning at the outset,[45] the double-headed eagle acquired in course of time a distinctive character as a species of fabulous birds, a type of the ' Wundervogel,' and a rich mythology grew round it. One thing is certain : the motif was not devised to represent a myth but the myth developed from the device. When the symbol migrated to India it came to be identified with the *Bhāruṇḍa* bird of ancient Indian tradition, and it was finally given both a local habitation and a name in the Karnatak as *Gandabhēruṇḍa*, related to Garuḍa and sometimes confused with it.

The present work professes to be the most comprehensive study ever made of the extraordinary symbol of the double-headed eagle, both in art and literature, as an heraldic device, as a royal *lāñcana*, as a *birūda*, as an imperial ensign, and as a bird of legend. The work is primarily based on authentic primary sources —archaeological epigraphic, iconographic, numismatic, artistic and literary. While the skeleton is made up almost exclusively from primary material, secondary sources, wherever necessary, have been drawn upon to clothe the dry bones with flesh and blood.

The study is also based on field-work done in Mysore State, where the most important monuments depicting the double-headed eagle in India are located. Indeed, the double-headed eagle under the name of Gandabhēruṇḍa is the emblem of Mysore and has a continuous history there from at least the eleventh century A.D. down to the present day, as a *birūda*, as a royal *lāñcana*, as a device on coins and as an art motif, figuring on temple sculptures, in wood and ivory carvings, on embroidered, printed and woven cloths, and on amulets. The most remarkable recent examples of Gandabhēruṇḍa in Mysorean art are the two sculptures (Fig. 10) on the façade of the magnificent new Mysore Vidhana Soudha Building.

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[45] This is demonstrated in the body of the monograph.

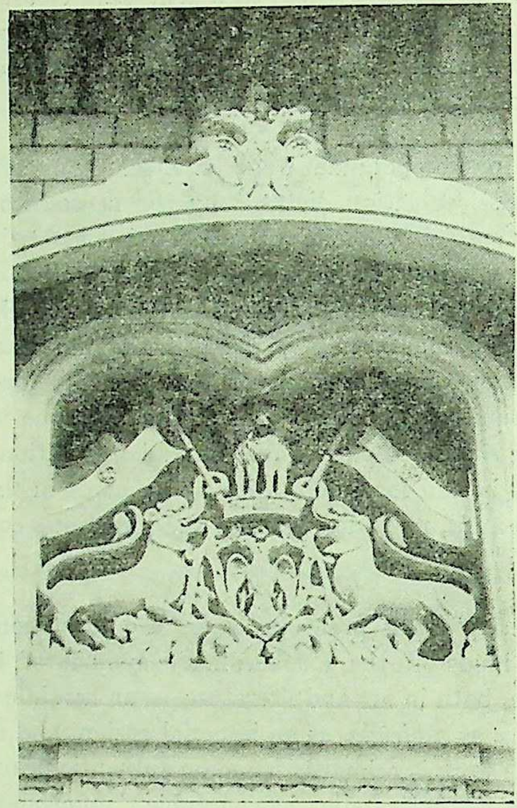

Fig.10. Two images of Gandabhēruṇḍa carved on the façade of the Vidhana Soudha Building, Bangalore.

(From a photograph supplied by the Chief Secretary to the Government of Mysore).

WORK AND PRIMITIVE MAN*

John V. FERREIRA

IN earlier days when the results of fieldwork by trained anthropologists were not available to us, there was a view of work and primitive man which can be called graphically the 'coconut tree theory'. According to this view, primitive man's work was organized very little or even not at all; in moments of hunger or thirst he availed himself of nature's bounty; and in places where coconut trees grew in abundance, the coconut was an almost ideal means of satisfying these basic needs.

Today, however, we know better; and this is so because trained anthropologists have ventured into the remote areas where the primitive tribes have lived for ages and have studied them through carefully selected informants and through participant observation.

Consequently, we have now acquired a more accurate view of primitive man and his attitude to work. Thus the British social anthropologist, Raymond Firth, for instance, tells us that there is a close association between technical and ritual activities in primitive societies; or as the economic anthropologist, Karl Polanyi, has put it, 'The outstanding discovery of recent historical and anthropological research is that man's economy, as a rule, is submerged in his social relationships.' Again, the American anthropologist, Melville Herskovits, who died a few years ago and who devoted an entire book to the subject of economic anthropology, says: 'The cooperativeness that characterises the activities of non-literate peoples constitutes one of the most striking aspects of their patterns of labour.' In more recent times the anthropologist who has specialized in economic matters relating to the simpler peoples is George Dalton. Dalton confirms the finding to which the above-mentioned anthropologists have drawn attention by pointing out that in primitive societies there is no separate economic system that can be analyzed independently of social organization. Hence in these societies work is very much the expression of underlying kinship obligations, tribal affiliations and religious and moral duty.

*** A somewhat enlarged version of a talk delivered over All-India Radio on July 25, 1969.**

We shall illustrate these findings by examples from India. Our first example is the Warlis. They are an aboriginal tribe who live mainly in the northeastern parts of the Thana district. They were studied some years ago by K. J. Save. The Warlis eke out their existence through cultivation, their chief food being rice of a coarser variety. In fact corn is respected and valued to such an extent by the Warlis that they have surrounded its cultivation with a ritual. Surrounding that which they regard as very important to them with a ritual is a common phenomenon among tribal populations all over the world. To begin with, the Warlis ascribe the origin of cultivation to the gods. They relate that after the earth was constructed, the gods took upon themselves the task of creating life on it. The gods Isar and Ganga-Gauri were given the task of sowing seeds in the soil. The seeds were secured from various animals that had stocks of them. The presiding deity of corn is called Kansari Mata. When harvest-time arrives, the following ritual is gone through. Any Warli who knows the story of corn is called upon to narrate it on the threshing floor at night. Before the narration begins, the man on whose threshing floor the story is to be narrated waves a lamp towards the narrator and applies red lead to his forehead. A coconut is also placed near him. At the end of the narration the coconut is broken and bits of it are distributed to the people assembled there. The Warlis believe that in narrating and listening to this story they ensure good crops for themselves, since the narration is in honour of the corn deity. Save opines that those who composed the story wished to convey the notion that disrespect towards corn or neglect of it would entail miseries. Elsewhere in the book, however, he describes the Warlis as lazy, imprudent and ignorant of the new and improved methods of agriculture. Could it, however, not be that the hold of myth and ritual on the Warli mind is firmer than on the minds of the Dhodias and Koknas whom he finds more progressive agriculturally? Here is Mircea Eliade, an outstanding authority on comparative religion, pointing out the value of myths in primitive and archaic societies: 'We are at last beginning to know and understand the value of the myth, as it has been elaborated in "primitive" and archaic societies—that is, among those groups of mankind where the myth happens to be the very foundation of social life and culture. Now, one fact strikes us immediately; in such societies the myth is thought to express the *absolute truth*, because it narrates a *sacred history*; that is, a transhuman revelation which took place at the dawn of the Great Time, in the holy time of the beginnings (*in illo tempore*). Being *real* and *sacred*, the myth becomes exemplary, and consequently *repeatable*, for it serves as a model, and by the same token as a justification, for all human actions. In other words, a myth is a *true history* of what came to pass at the beginning of Time, and one which provides the pattern for human behaviour. In *imitating* the exemplary acts of a god or of a mythic hero or simply by recounting their adventures, the man of an archaic society detaches himself from profane time and magically re-enters the Great Time, the sacred time.'

Let us turn next to the Hill Saoras who were studied ethnographically by that friend and philosopher of the Indian tribals, the late Verrier Elwin. The Hill Saoras live in Orissa, have long streets in which they build small shrines, erect stone monuments and sacrifice buffaloes to their dead, and for religious purposes have both male and female shamans. They pursue terraced and shifting cultivation. They have no totemic clans and have relatively little social organization; but the extended famliy which originates from a common ancestor is an essential unit and there are divisions into aristocracy and proletariat and of course by villages. The extended family controls marriage and funerary arrangements and also certain sacrifices connected with the ceremonial eating of food. Economically the Saoras are the most prosperous tribesmen in India, Elwin tells us; and this is so partly because of nature's bounty but also because of their terraced cultivation and their exceptional industry. The agricultural process in its entirety is a religious act. The field is a temple, the hill clearing a shrine, adds Elwin. In fact all that they have and do can be traced to the mythological past. The Saoras believe that all the inhabitants of the unseen world are very much interested in human agriculture because their prosperity depends on man's prosperity. The real owners of the fields and hills, they believe, are the gods who accordingly expect returns for their use in the shape of sacrifices and tributes. But if man becomes too prosperous, he grows proud and careless and negligent of his religious duties, whereas if he becomes poor, he is incapable of suitable sacrifices and so the gods prevent him from becoming totally impoverished. Thus we see that the religious beliefs of the Saoras keep them relatively industrious, thus confirming the views of Max Weber on the capitalistic ethic. But more than the gods the dead ancestors have a special interest in the fields and clearings, the threshing floors and so on because they were once the owners and users of them. The dead are, however, like old people everywhere, the Saoras believe. They force the living to work hard in the fields by threats of disease, death and disaster to the crops. Furthermore, we are informed that when the ghosts encounter the shaman, they ask about their fields, their cattle, their ploughs and whether their descendants are maintaining them satisfactorily or not. In turn when the living wish to know whether their sowings will result in a good harvest, they usually turn to their dead ancestors rather than to the earth-gods. It is, therefore, clear that there are interrelations between the extended family or *birinda* of the Saoras, their religious beliefs and their economy, and that their psychology of work is largely a consequence of these interrelations.

Turning to the Sema Nagas for our last illustration, we learn from J. H. Hutton who wrote an admirable monograph on them more than four decades ago that they were head hunters like many of the other Naga tribes till recently and that they are dependent on their fields for their existence. Among other things they are described as impulsive, easily depressed but not for long and very fatalistic. Have these traits of character been perhaps nurtured by the fact that they depended in those days on a very primitive and laborious form of agriculture? The Sema method of cultivation was *jhuming*. In other words, land was cleared for two seasons in succession and was then allowed to go back to jungle for a number of years which varied according to the amount of land available. When there was enough of it, the land was left unused for seven years which was regarded as the shortest time in which the land could become fit for recultivation, though fifteen to twenty years was thought of as most desirable for that purpose. But when the population increased there was a temptation to bring the land back into cultivation only after five years; and in some villages earth was actually carried and spread on the rocky parts of the field in order to make them cultivable. Under these conditions it was not surprising that the crops were very poor and that the villages were in a state of permanent scarcity. Hence it is no wonder that the Sema Nagas surrounded every phase and aspect of the agricultural process with *gennas* or tabus. Thus the first genna of the agricultural year marked the beginning of the task of clearing new jhums. No one was allowed to cut wood, husk paddy, spin, weave, sew or string beads on that day. The persons clearing new fields took an egg to their fields but had not to allow anyone to take fire from their fireplaces on that day. The egg was put on a piece of stick got from a tree bearing very acid edible berries, the stick being split into three at the top to hold the egg. Next the field-house was built at the spot where the egg was placed. The clearing of the jungle was then begun and could go on as the clearer desired, so long as he left a small patch uncleared for the following genna. There were gennas to mark the completion of the new jhums, the time when the jhums were burnt and were ready for sowing, the following day in honour of the spirit Litsaba and so on. Hutton lists eighteen such agricultural gennas. Obviously the Sema Nagas hoped that through the observation of these gennas they would be able to placate the spirits and gods and thus ensure a rich harvest. Head Hunting, too, subserves the same purpose. The head is supposed to be the repository of soul-force. and when acquired by raids on other villages or tribes and hung up in the vicinity of the village was thought of as bringing fertility to the village lands and ensuring good crops. Thus once again we perceive the interrelations between the economy of a primitive tribe and their religious beliefs and attitude to work.

Examples of a similar nature can be got from the primitive tribes all over the world. We may, therefore, conclude that primitive man ritualizes and socializes work much more than modern man. Whereas modern man pursues work for work's sake or for the financial compensation that it brings, primitive man imbues work with a strong socio-religious colouring.

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SOCIOLOGY AND INDIAN ARTS

DR. S. D. PATEL

THE unity of the human race must be taken for granted. Differences between one person and another or between one race and another and between one people of one time and another are simply differences of emphasis.[1] This element of human unity is revealed in the Arts. The present modest study is undertaken with a view to unfolding the significance of the Indian Arts, to draw socialogical inferences and to clarify the relation of the Arts to sociology which deals with man in society. The field of sociology and art is the same—man—the former studies man as a social being, the creator, while the latter human endeavour. Art reveals the deepest recesses of the human mind and offers a mirror to his soul. One of the fundamental drives of man is the intellectual. Its ultimate object is truth or reality in all aspects. If that reality is beauty, as perceived or expressed, we have art. The sociological inferences in the paper are based on the observations made by eminent scholars and art critics. Our analysis presents a conception of what is distinctive in the sociological perspective.

The theme of Indian art is based on three elements : the Divine personality ; the cosmos in its two-fold manifestations of good and evil ; man and material world. Before going into details, it is necessary here to stress the different aspects of Indian arts to explain this theme. The art of India constitutes an unique chapter in the history of human endeavour. But the question is, " what is art? " Art means any activity or production involving intelligence and skill. In this sense, it is opposed to ' nature ' on the one hand and to unskilled production on the other, while it is distinguished from science as doing from knowing. In the narrow sense, it is equivalent to fine art, means an activity or product of activity, which has aesthetic value or is beautiful. In a still narrower sense, it is something restricted to sculpture and painting. According to Agarwala, "Art by its nature is a visual commentary or a concrete manifestation of thought which is abstract and invisible."[2] In this respect art comes very close to sociology. Sociology is a behavioral science. It seeks to explain contemporary or past

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1. Mulk Raj Anand : The Hindu View of Art, p.9.
2. Agarwala, V. S. : The Heritage of Indian Art, p. 5.

human behaviour as we experience it directly or encounter it embodied in artifacts, monuments, laws and books[3].

In arts, as in Sanskrit poetry and Indian music. the artist was supposed to identify himself with nature in all her moods, to express the essential harmony of man with nature and universe. That has been the keynote of all Indian art and it is because of this that there is a certain unity in the art of India, in spite of its great variety and the national differences are so evident[4]. From a sociological perspective, man's social acts should harmonize with the social order, otherwise they will lead to chaos.

Man is endlessly inventive. But his greatest invention is non-invention, the skill of transmitting intact and unchanged from one generation to the next the fundamental ways of doing things which he learned from the generation which preceded him. Not only is knowledge thus conserved, but the basis for communal life, resting on common information and understanding, is thus established. Since all those in each generation receive more or less the same cultural herigtage from the preceding generation, they can more easily relate to one another and more effiectively coordinate their actions. It is known as a culture of a group. The transmission of culture is man's substitute for instincts whereby the living creatures have kept the unity in compact. Art indirectly reflects this instinct of man in endless processes through sculptures, architecture, music and painting.

Art in India enjoys a unique position. It is a precious heritage in the culture of the people. It is more so in India, where the story of art is as old as the history of the race—a panorama of five thousand years. It reveals the chief cultural trends of the creative life of India. It also proves the fact that the genius of India consists mainly in its power to transmit the beauty of nature and the sterrings in the soul of man into effective symbols. India and its culture are even dynamic. C.E.M. Joad said : "Whatever the reason, it is a fact that India's specific gift to mankind has been the ability and willingness of Indians to effect a synthesis of many different elements both of thoughts and peoples, to create, in fact, unity out of diversity." George Catline rightly observed that Indian civilization is not, like that of many European countries, primarily national. Like those of Russia, America, China, the

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[3] Alex Inkeles : What is Sociology, p. 19.

[4] Jawaharlal Nehru : The Discovery of India, p. 207.

Arabs, Hellas, it is charged with world mission. It is world mission in the age of materialism . . . .[5]

The culture of a country is the expression of the spirit of a country. That spirit has both sprung from and is in turn reincarnated itself in the material civilization of the land, its literature and architecture.[6] The Arts are the riches of Indian culture which hold the whole country together. "What is a nation ?" said Ernest Renan, "a perpetual plebisite." A nation is such because it wills to be such, and the greatest tradition, the memory of civilization, a heritage, create this overwhelming will. A natiou is not a physical fact but a creation of will and spirit.[7] In this respect India's role is second to none. Ruth Reyna says, "India is the spiritual mother of all mankind." Sylvan Levy, the eminent French Indologist, shows India's influence over "one-fourth of the human race." From Persia to the Chinese sea, from icy regions of Siberia to the islands of Java and Borneo, from Ocenia to Socrtra, India has propagated her beliefs, her tales, her arts, and her civilization. She has left incredible imprints on one fourth of the human race in the course of a long succession of centuries.[8] Will Durant the eminent American thinker, and historian, observes :— "India was the mother land of our race, and Sanskrit the mother of European language, she was the mother of our philosophy, mother, through the Arabs, of much of our mathematics ; mother through the Buddha of the ideas embodied in Christianity ; mother through the village community, of self-government and democracy, mother India is in many ways the mother of us all."[9]

Indian art is directly related to religion and philosophy. According to the Aristotelian-scholastic explanation, fundamental desires or inclinations of man are : self-preservation ; procreation and intellectual activity. The ultimate object of the intellectual inclination is truth and/or reality in all its aspects. If that reality is the Supreme Being or some supernatural beings, we have religion.[10] Religion is not only one of the most influencial forces of society ; it is also considered by many as the centre and origin of of culture—the impulse that makes civilization.[11] Indian art is so intimately associated with Indian religion and philosophy that it is difficult to appreciate it fully unless one has some knowledge of the ideals that governed the Indian mind. Hinduism is the religion not only of the Vedas but of the Epics and Puranas.[12] For in Indian art there is always a religious urge, a looking beyond such as probably inspired the builders of the great cathedrals of Europe. Beauty is conceived as subjective, not objective, it is a thing of the spirit, though it may also take lovely shape in form or matter.[13] While appreciating the ideals of Indian art and the spirit underlying them, E. B. Havell observed that Indian art was not addressed to a narrow coterie of the literate. Its intention was to make the central ideas of religion and philsophy intelligible to the masses. " That Hindu art was successful in its educational purpose may be inferred from the fact, known to all who have intimate acquaintance with Indian life, that the Indian peasantry, though illiterate in the Western sense, are among the most cultured of their class anywhere in the world."[14]

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[5] K. de B. Godrington : The Study of Indian Art, p. 6.

[6] *Ibid* p. 5.

[7] *Ibid.*, p. 5.

[8] Siris Kumar Mitra : Evolution of India, p. 3.

[9] *Ibid.*, p. 21.

[10] Gisbert, P. S. J. : Fundamental of Sociology, p. 54.

[11] *Ibid.*, p. 208.

Man is a social being. Whenever there is social life there is a distinctive pattern of leisure and recreation, some elaboration of the crafts and arts, and some form of religion expressed in a social set of ideas or myths and often in fairly elaborate ritual.[15] Indian art more or less confirms this view. Indian art is rich and sublime in its perspective. This revealed when we take into consideration some of the important features of Indian Art. Firstly, it depicts the divine essence or reality. The essential touch in the literature and art of India is the homage to the abstract and unmanifest power behind the material world, the Divine, primary source of all things. While recognising the values of Indian sculptures, Birdwood and others observe : " We......find in the best art of India a lofty and adequate expression of the religious emotion of the people and their deepest thoughts on the subject of divine."[16] Secondly, conflict between good and evil. The created world presents diversity where force meets force for the fulfilment of the higher purpose of life. This is known as *daivasurarm* in Vedic term, i.e., forces of light and darkness. The aim being to lead a man to a righteous way of life or to create a social system. Similarly, sociology also seeks to discover, describe and explain the order which characterises the social life of man. This order permits each individual to pursue his personal course without too seriously interfering with the pursuit by others of their purposes and goals. It leads to a social system. When we say that there is a social system, we refer to the co-ordination and integration of social acts which permits them to occur in a way that produces order rather than chaos.[17]

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[12] Radhakrishnan, S., The Hindu View of Life, p. 20.

[13] Jawaharlal Nehru, Discovery of India, p. 205.

[14] E. B. Havell, The Ideals of Indian Art : p. XIX.

[15] Inkeles Alen, What is Sociology, p. 65.

[16] K. de Godrington, p. 11.

The third feature of Indian art is the place of man in the divine scheme of things. Hence man serves an essential purpose. All symbols of art and religion primarily portray his inner images. It is for him that they exist. From the sociological perspective man has always been much more than a mere biological organism, and in the kingdom of living beings occupies a place infinitely superior to that of plants and animals.[18] Man is a pivot round which all social activities revolve. Men can live without being sociable, but not without being social. Sociality colours and pervades his whole life and activities, though it does not exhaust them. Man is all social, but he is something more than that.[19] To sum up, the theme of Indian art has four elements, viz., the divine principle, the cosmos in its two-fold manifestations of good and evil ; man and the materials world.

We need not go into the details of the historical evolution of the Indian art, but all will agree that its contribution towards the enrichment of our culture and civilization is immeasurable. Indian art covers about five thousand years, presents a rich and almost continuous record. The arts are the fountains of our national heritage. The Vedic period gave us the ancient literature of the Vedas. The RigVeda is the oldest literature of the world. Then came Puranas, Upanishads and so on. They are not only scriptures but contain philosophy and a way of life. The Epic period gave birth to Mahabharata and Ramayana which form a vital part of our great cultural heritage. They also contained stories of wisdom, illustrating what miracles can be wrought with faith in God. These stories of India's past have an appeal for all, for they present some of the highest values and ideals of life and bring out some of the noblest traits of human character such as truthfulness, righteousness, devotion, wisdom, self-sacrifice and courage.[20] The two epics of Mahabharata and Ramayana form an integral part of present day Indian life.[21] We in India speak different dialects, belong

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17. Inkeles Alen, p. 25.
18. Gisbert, P. S.J., *op. cit.*, p. 321.
19. *Ibid.*, p. 53.
20. Chiman Lal, Spiritual Stories of India, p. 2.
21. Karve, I., Kinship Organization in India, p. 20.

to different regions, castes and communities but every one of us one way or other, derives the norms of behaviour from these epics. They are the cementing force of our national unity.

They arts and sculptures that came into existence during the later periods particularly the Buddha and Gupta periods, have exercised a powerful influence in our life. Among them we find the sculptors of Bharhut and Sanchi, Ajanta and Ellora. Like most Europeans, and many Indians, they did not know Sanskrit. The language they spoke is more universal than the book-learning of the priests. They spoke it with their hands and it will, beyond all doubt, endure.........[22] " Ajanta takes one back into some distant, dream like and yet very real world," observed Jawaharalal Nehru and adds " How well those painter-monks must have known the world and the moving drama of life, how lovingly they have painted it just as they have painted the Bodhisattva in his calm and other worldly majesty.[23] They all represent the sociology of culture in India.

The above discussion shows that Indian art has an unique aim. It is an instrument of progress and cultural development of the people. It is closely related to Sociology. Like sociology, its ultimate object is to serve man, and through him society, the nation and the entire world. Its basic aim is *Manavdharma*, service of huamnity. It tries to bring about all round progreess, viz., truth, peace and beauty, (शत्यम्, शिवम्, सुन्दरम् ।).

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22. K. de. Godrington, p. 16.
23. Jawaharlal Nehru, p. 208.

" AN EVALUATION OF COMMUNITY DEVELOPMENT PROJECT IN THE PURANDHAR TALUKA OF POONA DISTRICT OF MAHARASHTRA STATE*"

By J. J. Udeshi

THE Community Development Programme was launched in India in October 1952 as a special approach to the problem of rural development. This programme has been studied by various agencies through indicators like State expenditure, physical achievements, popular contributions, organisation of cooperatives and panchayats, introduction of improved practices, people's participation, etc.

The study under report examined the characteristics of 16 post-intensive stage blocks of Bombay-Deccan Region of Western Maharastra and Purandhar block as a typical block of the region. The study of the impact of the programme is based on and analysis of its area income for nine-year period from 1951-52 to 1959-60. The study is based on processing of data about the block collected from the records of State Government and local bodies and supplemented by discussion and sample surveys.

The area income and per capita income of the block increased at constant prices due to increase in income from the sectors under the impact of the programme and nearly three-fifths of the increase was attributable to the achievements under the programme. The income generated per person engaged and per capita income increased rapidly in different sectors under the impact of the programme during the programme period. The three major sectors — agriculture, animal husbandary and rural industries— contributed more than 85 per cent of area income of the block. As their potentialities were tapped through the programme, the income from them and their share in the area income increased. The rural industries sector accounted for about 7 per cent. of the area income. Its slow growth was due to slow and meagre coverage of the schemes, but its importance was in utilising local labour and materials. The contribution of other sectors like construction, credit cooperatives and services also increased during the programme period.

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* Summary of the thesis approved for the degree of Ph.D. of the University of Bombay.

The expenditure from project funds resulted into utilisation of local resources and increase in production and income. Thus, the manpower, skill and local materials of the block area, when utilised with the resources under the Community Development Programme, resulted into generation of additional income. The benefit-cost ratio due to the programme was estimated at 1:1·31** during 1955-56 to 1959-60 (according to the most conservative estimate), and the average rate of return on investment was 6·2 per cent per annum. This benefit-cost ratio indicates the direct primary benefit of the programme. The indirect, secondary and intangible benefits accruing to the area have also been estimated.

**The benefit-cost ratio indicates the ratio of direct primary benefit in the form of increase in income at constant prices (net of the associated costs) to one rupee of investment from project funds and people's resources. Sector-wise benefit-cost ratios have also been calculated under different assumptions and these ratios and the rate of return on investment have been compared with those from other similar Schemes/projects.

THE DEDUCTIBILITY OF INTEREST COSTS AND THE CORPORATE FINANCIAL POLICY*

By L. M. Bhole

Introduction:

ONE often comes across a view that the companies tend to rely more on borrowed funds than on equity capital because the interest charges are regarded as deductible expense for calculating taxable profits while dividend payments are not. It is further urged that the deductibility of interest costs for tax purposes weakens the interest rate policy as a tool of conscious economic management. If the monetary authority needs to discourage the overshooting of borrowing and investment beyond a certain limit, it will raise the cost of capital by upgrading the rate of interest. But such a policy is doomed to failure on account of the corporations' legal right to write off almost half of the cost of borrowing against its income tax.

The Plan of Paper:

The purpose of this paper is to examine empirically the validity of these arguments. Section I will make the implicit assumption behind the above given arguments more explicit. In section II we will find out whether there has really been any shift in the capital structure of the corporations over the past few years with the help of whatever data are readily available in our economy. In section III we will analyse the cause of such a shift if there has been any. Section IV will offer a statistical test which will substantiate our conclusions in Section III. Section V will deal with implications of the argument for the working of monetary policy.

I

The capital requirements of corporations are met broadly by loan capital and ownership capital. The proportion each of these two types of capital will bear in the total capital depends on the decisions taken by two different decision making units. First is the entrepreneur or the professional management who will decide from time to time whether and in what proportion borrowed capital and/or equity capital should be utilised, his decision depending on various considerations such as cost of individual type of capital and so on. Second is the class of investors both individual and institutional, who will decide on the investment portfolio-selection ; their decision depending on risk of and return on investment. The observed capital structure of corporations during a particular year will be the combined outcome of the interaction of these decisions.

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Now the argument that the deductibility of interest cost makes the capital structure debt-heavy presumes that any obserbed shift in the financial structure is due to entrepreneurs preference for debt capital because by doing so he will make some savings in his tax liability. In other words, it assumes that companies are in an enviable position of having a *free choice* between the types of capital they would like to employ and that they expect the response of the investors to be equally good to any type of security they issue. Placed in such a fortunate position the companies will *voluntarily* choose to borrow rather than to issue ownership securities because of the tax advantage involved in such a course of action.

Therefore, if we can show that the increasing proportion of debt in the total capital was the result of the forces operating on the supply side of the capital market reducing the manoeuver ability of entrepreneurs, we strike at the root of the validity of the above thesis. Because in such a case, it is not the companies which choose to employ more debt capital but it *was imposed upon them* by the investors whose actions are motivated by very different reasons than the deductibility of interest costs for the tax purpose. It is quite obvious that such deductibility of interest makes no difference for investing public while choosing their investment portfolio because the individual investor has to pay the taxes at prescribed rates regardless of the type of security from which his income originates. To these matters we will return in the next sections.

II

Has there been a change in the Capital Structure?:

The changes in the pattern of financing can be studied from the evidence provided by the new flotations of stocks and bonds. Table I presents the data on consents for capital issues which indicate the investment intentions of the private sector. This table shows the consents granted for (*i*) the equity issues which include both variable dividend securities and preference shares and (*ii*) borrowed capital which is inclusive of debentures plus loans raised by companies by creating a charge or lien on their assets. To make the relative importance of two types of capital more vivid, year by year percentage distribution of total consents granted between equity and debt in also presented in Table I. The Statistics in Table I has been graphed in the Charts I and II.

TABLE I

Consents for Capital Issues

(Non-Govt. Companies)

(*Rs. crores*)

Years	Equity capital (ordinary + preference	Debt capital (debentures + loans etc.)	Total capital	% of equity capital to total	% of debt capital to total
1951	44·88	3·92	59·56	75·39	6·58
1952	30·26	1·75	39·79	76·02	4·39
1953	52·76	13·92	81·39	64·82	17·10
1954	74·43	26·25	110·57	67·32	23·74
1955	74·38	44·56	125·39	59·32	35·53
1956	98·71	63·53	170·75	57·81	37·20
1957	68·31	51·66	135·37	50·46	38·15
1958	49·96	29·62	89·45	55·84	33·10
1959	102·36	44·34	149·58	68·46	29·64
1960	94·28	55·08	150·13	62·80	36·69
1961	111·46	63·26	185·06	60·22	34·17
1962	119·74	86·19	219·45	54·36	39·27
1963	126·08	100·74	237·57	53·10	42·41
1964	113·56	107·16	224·80	50·51	47·67
1965	65·25	96·31	166·50	39·19	57·85

Note : (1) Loans means loans raised by cos. by creating a charge or lien on their assets.

(2) Consents for equity capital include those for initial and further issues.

Source : RCF 1955-56, 1960-61, 1965-66.

CHART I

Consents for Capital Issues

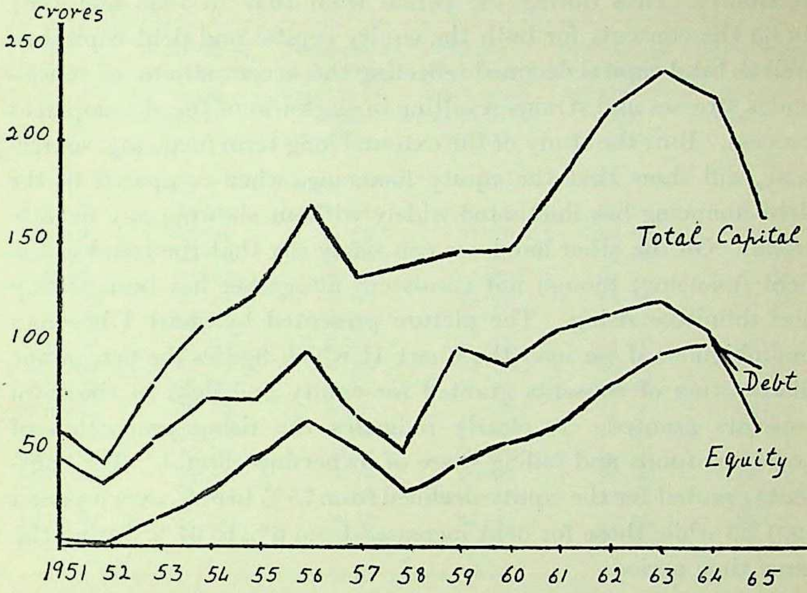
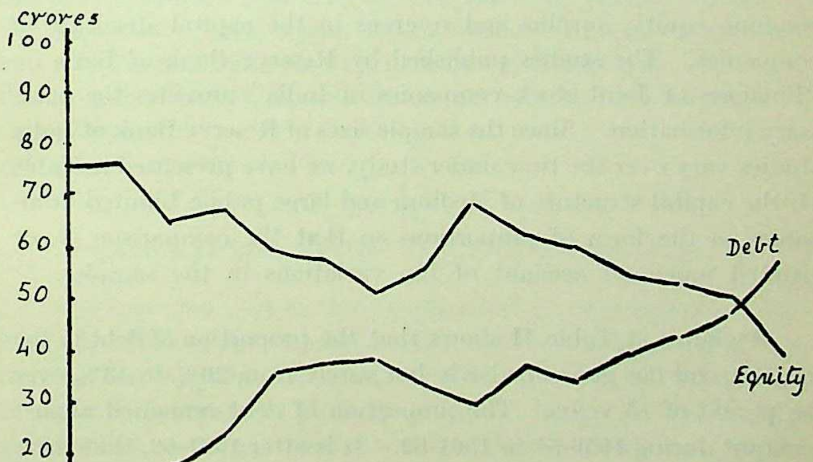


CHART II

Consents for Capital Issues (percentage distribution)



From table I and chart I, it is clear that volume of consents granted in absolute terms mirrors the business fluctuations in the economy. Thus during the period from 1957 to 1958 and 1964 to 65 the consents for both the equity capital and debt capital as well as total capital declined reflecting the accentuations of conspicuous stresses and strains resulting in slackness of the development process. But, the study of the external long term financing, sourcewise, will show that the equity financing, when compared to the debt financing has fluctuated widely without showing any definite trend. On the other hand, we can safely say that the trend in the debt financing, though not consistent altogether has been clearly and difinitely rising. The picture presented by chart I becomes unambiguous if we scan the Chart II which figures the percentage distribution of consents granted for equity and debt in the total consents granted. It clearly indicates the rising proportion of borrowed funds and falling share of ownership capital. The conssents granted for the equity declined from 75% to 39% over a period 1951-65 while those for debt increased from 6% to 57% during the same time period.

Uptill now, we have been concerned soley with the new capital issues by corporations. But it would be advisable to supplement our conclussions in the previous paragraph with the facts about the year-end amounts and proportions of debt, preferred stock, common equity, surplus and reserves in the capital structure of companies. The studies published by Reserve Bank of India on "Finances of Joint stock companies in India" provides the necessary information. Since the sample sizes of Reserve Bank of India studies vary over the time under study, we have presented in Table II, the capital structure of Medium and large public Limited Companies in the form of proportions so that the comparison is not vitiated much on account of the variations in the samples.

A glance at Table II shows that the proportion of debt in the total capital has gone up slowly but surely from 26% to 43% over the period of 15 years. The proportion of debt remained almost constant during 1956-57 to 1961-62. It is after 1961-62, that there has been a substantial increase in the proportion of debt. By contrast there has been a fall in the proportion of preference capital and ordinary share capital from 10% to 4% and from 40% to 25% respectively. Of course the proportion of reserves and surplus

TABLE II

Capital Structure of Medium and Large Public Ltd. Companies

Percentage to total

Years	Percentage of debt to total capital	Percentage of preferred capital to total capital	Percentage of ordinary share capital to total capital	Percentage of reserves+ surplus to total capital	Percentage of total equity capital to debt capital
1950–51	26·00	10·00	40·00	25·00	74·00
1951–52	27·40	9·60	37·80	26·00	72·50
1952–53	26·25	9·70	37·99	26·90	73·70
1953–54	25·75	9·50	39·50	26·10	74·20
1954–55	27·58	9·00	38·30	25·80	72·40
1955–56	28·21	8·60	36·40	27·50	71·78
1956–57	37·36	7·00	31·70	24·80	62·60
1957–58	37·77	6·80	31·80	24·30	62·20
1958–59	38·47	6·60	31·70	23·90	61·05
1959–60	37·10	6·80	31·60	25·20	62·90
1960–61	37·80	6·20	30·00	26·60	62·60
1961–62	37·80	5·50	30·90	26·40	62·10
1962–63	39·10	5·10	30·00	26·40	60·80
1963–64	40·00	4·70	28·80	27·00	59·90
1964–65	41·40	4·40	27·20	27·60	58·50
1965–66	43·35	4·20	25·07	27·30	56·60

Note: Here debt refers to total borrowings excluding trade credit and other liabilities.

Source: Financial statistics of Joint Stock Companies in India 1950-51 to 1962-63 by RBI., and RBI Bulletin Dec. 1967.

has gone up slowly from 25% to 27% over the period. However the proportion of total equity capital inclusive of reserves and surplus also has declined from 74% to 56% over the period. In short, Indian corporations have relied more on borrowed capital than on equity capital.

III

AN EXPLANATION OF THE EVIDENCE

The observed shift in the capital strcuture of companies noted in Section II does not necessarily represent the fundamental distortion in the corporate financial policies induced by tax policy. If we can demonstrate that the noticed change in the financial pattern has been the result of a change in the attitudes of the investors and other extraneous circumstances then we will have shown that the change was not necessarily the result of *tax-induced deliberate decision* on the part of entrepreneurs in favour of debt financing. To these matters we turn our attention hereafter.

In this context, we submit that during the period under observation, the functioning of the Indian economy was such that the corporations *had to* employ more debt capital because the investors substituted the fixed income assets for the equity holdings in their investment portfolios. In order to understand this shift, we need to understand the psychology and the motivations behind the process of investors' portfolio selection. An individual investor, in making any new investment, foresees a return commensurate with the risks and in line with the returns available on alternative uses for his funds. Market valuations will reflect the incomes and prospects for appreciation necessary to balance the attractiveness of different forms of securities against each other and against the everpresent alternative of holding cash in the light of the existing degree of fluidity of investment funds. In more concrete terms, the investor will elect to invest in shares on debentures or in fixed deposits depending upon the propspective return he expects to earn on these assets. These various assets differ in income-uncertainty and capital uncertainty attached to them. Shares are subject to income uncertainty because of uncertainty about the future profits. They are subject to double dose of capital uncertainty for their prices vary both with changes in profits and with changes in interest rates. But debentures on bonds offer perfects certainty of income and relatively high capital uncertainty.[1] The investment in fixed deposite with banks or with other institutions or with companies themselves, offer little capital uncertainty and perfect income certainty. Naturally the investors will buy shares only and only if the prospects of annual return and appreciation are substantial enough to compensate the high income and capital uncertainty attached to shares when compared to the other alternatives. If the earnings prospects on shares are eclipsed during a particular time due to the exigencies of that period, the investors will be loath to supply the risk capital.

Now, exactly such conditions were prevailing in Indian economy during the period under investigation. The stock market was functioning at a low ebb during the major portion of period from 1952 to 1965. The fluctuations in prices of and yields on securities are, to a first approximation, essentially a reflection of changes in demand i.e. in the willingness of the public to hold the

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1. J. Robinson : The Rate of Interest and other Essays, Macmillan and Co. London, 1954. pp. 8-9

available stock of each security at the ruling price[2]. The relevant statistics concerning the fluctuations in security prices are presented in Column 2 and 3 of Table 3.

TABLE III

Price Index Numbers of and Rates of Return on Ordinary Shares

Year	Index numbers of variable dividend securities 1961-62 = 100	Percentage variation in the variable dividend security prices	Annual rates of return on ordinary shares in India (Per cent)
1952–53	61·71	—	—
1953–54	62·76	+ 1·72	—
1954–55	74·19	+18·19	—
1955–56	79·83	+ 7·60	14·39
1956–57	79·57	− 0·33	−4·66
1957–58	65·86	−17·23	0·05
1958–59	72·11	+ 9·49	25·11
1959–60	81·56	+13·10	17·68
1960–61	90·18	+10·57	19·89
1961–62	100·00	+10·88	12·20
1962–63	94·27	− 5·73	−9·88
1963–64	87·76	− 6·91	11·55
1964–65	86·18	— 1·89	1·13
1965–66	76·7	−10·91	1·18
1966–67	80·2	+ 4·56	—
			Average = 8·06

Source : Index numbers of ordinary share prices have been obtained from various reports on currency and Finance published by RBI. RBI has changed the base year from time to time over the period under study. We have spliced index numbers with different bases bringing them to one base i.e. 1961-62 = 100.

Annual rates of return on ordinary shares are taken fromNCAER study capital market in a planned Economy, pp. 108.

On observation of this table we can say that in year 1953-54 the price- index for variable dividend securities moved up by only 1.72% over the previous year. In year 1954-55 there was a substantial increase in the same index. Thereafter, the index of ordinary share prices began sliding down. During 1955-56, though the index recorded some advance the percentage appreciation was very much smaller than that in the previous year. During the years 1956-58 there was a substantial *net fall* in the share price index. It was only during the period 1958-62 that the stock market experienced the boom conditions. Thereafter, once more there was a *net decline* in the variable dividend securities price index which continued upto 1966.

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[2] M. H. Miller, " The Corporation Income Tax and Corporate Financial Policies " p. 402, in Stabilisation policies by commission on Money and Credit, Englewood Cliffs N. J., 1963.

Thus over the period of 15 years, the sentiment in the stock market was not very buoyant for three years, it was depressed for six years and was sufficiently buoyant for 4 years. Apart from the extremely volatile causes to which the activity in the stock market was subject there were following important reasons of this weak sentiment in the market (*i*) The disinflationary action taken by the monetary authority through the raising of the interest rate pattern. (*ii*) Additional taxation measures taken by the fiscal authority to mobilise adequate resources to meet the development needs for the whole period and to meet the mounting defence costs in later part of the period. Investors expected these measures to stunt an industrial growth and corporate profits. (*iii*) The economy experienced the acute foreign exchange difficulties which led to the cuts in imports of raw materials and other equipment. (*iv*) An introduction of super profits tax in 1963-64 led to the *cut in dividend distribution* which depressed the stock market (*v*) Chinese invansion and the untoward developments on the Indo-Pak border created the atmosphere of political instability.

Thus, the persistent weakeness of the stock markets impaired the outlook for prospects of capital appreciation which adversely affected investment in new equity issues.

During the same period, the Reserve Bank of India, the custodian of country's monetary conscience, was pursuing the policy of " Controlled expansion " since 1957 in order to achieve the goal of " growth with stability ". One of the tools of policy it harnessed in its efforts to attain the set of objectives was to increase the Bank Rate from time to time. Between 1957 and 1965 it raised the Bank Rate by 71.43% ; from 3½% in 1957 to 6% in 1965 in stages. The impact of the increasing Bank rate was radiated to the whole interest rate structure which also increased along with the Bank Rate. This upward movement in the structure of interest rates had the following important consequences for our purpose :

(*a*) The financial assets other than the ownership securities became more attractive for investment because the return on the former came to be higher than on the latter. This was especially so when the element of capital risk involved in holding the different types of financial assets was taken into account. The return on ordinary shares have been obtained by National Council of Applied Economics Research (NCAER) by adding a change in the Reserve Bank of India (RBI) price index of variable dividend securities over the year and dividend yield on equities for the year given by RBI. These returns have been presented in the column 4 of Table 3. It should be noted that NCAER has arrived at these returns after grossing up the tax free yields given RBI by taking into account the actual tax deductions made in each year. But since the yields net of tax and surcharge are more useful in measuring the ultimate return to the investor, the figures given in Table 3 need to be adjusted downward for our purpose. As the table shows, the average annual rate of return to the share holder gross of tax for the period 1955-66 was only 8.06%. The average will be still lower if calculated net of tax. Thus, " during the boom years of 1958-62, large number of new companies made equity issues. The return on these issues have been even poorer first because their prices have declined much more than those of the established companies and secondly because many of them have not been able to declare any dividends.[3]

In contrast, in the case of medium and long term deposits, the return varies in the range of 7 to 12 per cent. On Government Securities, the return is between 4 to 5.5% ; while on debentures it is 6 to 7 per cent. Thus it should bring home the fact that there was a wide and increasing disparity between the two sets of returns. Over and above this is the fact that the equity investment involves greater risk than alternatives compared here. It is, therefore, no wonder that equities have become most unattractive.[4]

(*b*) The effect of the better earning rates on the financial assets other than equity was to change the complexion of the flow of funds to the industries from the investing public. The corporations were caught in a snare reducing their manoeuverability with regard to the choice of the 'form' through which they would like to raise capital. They were badly in need of resources and the only way to lay hands on the resources was to borrow because the investers had grown reluctant to supply funds on the open market. The investors could not have been expected to do otherwise because the banks, forced to mobilise the public savings due to the strain on their own resources, were offering them competitively attractive rates. Naturally, the corporations had to borrow from the banks and accept deposite from the public. The "Survey of deposits with the Non-banking Companies 1961/62 to 1963/64[5]" conducted by RBI shows that the amount of deposits with companies has risen from Rs. 136 crores at the end of 1961-62 to Rs. 186 crores at the end of 1963-64, an increase of 37 per cent in a very short period. Of this amount as much as Rs. 125 crores are from the public. It is evidently because of the sluggishness in the capital market during recent years and the poor response to the equity issues of public limited companies that the deposits have gained importance for such companies.[6]

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[3] NCAER " Capital Market in a Planned Economy " p. 53.

[4] NCAER *op. cit.* pp. 54-55.

It was natural that when the corporations had no alternative but to raise capital through borrowing from the banks and accepting deposits from the public, the proportion of debt capital in the capital structure had gone up.

The sum and the substance of the previous paragraphs is that the occurance of a change in the preference pattern of the investors explains to a great extent the observed shift in the financial pattern of the corporations. That the change in the attitudes of the investors was very real was confirmed by the results of the questionaire inquiry conducted by NCAER.[7] According to this study while over 80% of the shareholders ranked ordinary shares as the most preferred asset five years ago (the study was published in December 1966), now, only 46% of them are attracted by equities. According to this study, the shift is evident in favour of fixed income securities such as debentures, fixed deposits with the banks and companies and Governement Securities. Of the 228 shareholder-respondents, who indicated a definite change from one type of asset to another, 92% showed a drift away from equities. out of whom 68% preferred fixed income securities.

(2) There was another circumstance whose prevalence in Indian economy meant a more corporate reliance on debt rather than equity. During the piece of historical time under study, the Indian Government actively established the various statutory financial corporations in order to meet the private sector's needs

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[5] RBI Bulletin, July, 1965., pp. 997-1014.

[6] NCAER *op. cit.* p. 24.

[7] NCAER *op. cit.*, pp. 59-60.

for medium and long term capital. The existence of term-finance corporations led to the corporate sector's greater and greater reliance on these insitutions for the follwoing two reasons :

(*i*) Firstly, as said beofre, in the context of sluggish conditions in the new issue market, increasing reliance was placed on the existing financial institutions for loan assistence as well as underwriting support. Since the statutory financial institutions were willing to pursue the policy of holding the exclusive or nearly exclusive debt portfolio, to the extent they met the capital-requirements of the companies, the volume of debt was bound to increase in their capital structure. Moreover, faced with the financial stringency, the Indian Companies had to meet their capital requirements from whatever source they could take advantage of. One of such sources was the Life Insurance Corporation. Since LIC was minly interested in fixed interest securities, to the extent it was one of the contributors to the capital needs of corporate sector, the proportion of debt in the capital structure was bound to go up.

(*ii*) Secondly, the existence of the financial institutions contributes to the attractiveness of the bond market as a source of funds for companies by leading to the development of new and flexible arrangement for term loans and to direct placements which reduce the risk of market floatations[8]. Especially for large and well established companies, new debt issues involve considerably lower under-writting and distribution expense because their debt issues are acceptable to institutional buyers. Hence, the new equity issues need to be made only by newer and less well established corporations whose debt would not qualify as highgrade. And since in any economy, we can reasonably expect the proportion of activities carried on by the existing large and well estabished corporations to be far greater than those of new companies, their reliance on institutions for funds due to the above mentioned advantages, will have an effect of inflating the proportion of debt capital in the capital structure of all the companies taken together.

This will tend to happen more so when the State of stock market is depressed because when stock prices are falling, the under writing risks (hence costs) of new equity issues increase sharply. Apart from the rising underwriting costs, if the new issues were sold to the outsiders at a price below its " fair " long run value, then the equity of the existing shareholders will be diluted by flotations. Moreover such an action will involve immediate damage to the corporation because the organisation will have to pay higher return even on equity interest which has been given cheaply. In contrast equally badly timed bond issue will not involve either dilution or the permanent damage because if interest rates fall soon after the bond issue, then at worst the corporations will have to overpay for a life of the loan only.[9]

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[8] M. H. Miller, *op. cit.*, p. 403.

One can safely infer that cosiderations of such type, in view of the weak state of the stock market and continuously increasing interest rates, might have induced the corporations to make the maximum use of facilities provided by the statutory financial corporations in India. Considering the economic atmosphere in which Indian Corporations had to function, the considerations of the above mentioned type might have been for weightier in borrowing capital than the consideration regarding the tax-advantage involved in that course of action.

(3) There was another fundamental factor working in Indian economy which forced the corporations to make greater and greater use of borrowed funds to keep their wheels going on. This factor was the steady erosion of the real value of money incomes and savings due to the cumulative rise in prices. It affected the household sector's capacity to save. Thus " the average propensity to save went down from 10% in the Second Plan to 8% in the Third Plan. The erosion of savings was one of the factors behind the decline in the new issue activity."[10]

In otherwords, the major part of the difficulties during the plan period, especially during the Third Plan, stemmed from the fact that while resources grew at an erratic slow pace, the economy was faced with additional demands for defence and development. As a result, both the public and the private sector had to resort to bank credit on an increasing scale. The greater resort to the Bank credit by the private sector had an obvious consequence of increasing the proportion of borrowed capital in the total capital of the corporate sector.

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[9] M. H. Miller, *op. cit.*, p. 406.

[10] NCAER, *op. cit.*, pp. 38-39.

IV

Application of a Statistical Test

The view that the tax system discriminates in favour of debt is based on the argument that the entrepreneurs will decide which 'form' of capital to choose by comparing the dividend yield (the cost of equity capital) with the interest rate net of taxes.

We have argued in section I that the observed corporate financial pattern during a particular year is the combined outcome of the interaction of decisions on the part of the investors and the entrepreneurs. It was shown in the preceding section that the change in the investors' psychology along with other operating factors in the economy necessitated the entrepreneurs to rely on more debt capital. It remains to be shown positively that there was not a significant tax-induced shift in the psychology of entrepreneurs.

In order to isolate the effect of taxes on the entrepreneurs' financing decisions, we have employed here a test developed by M. H. Miller[11] Such a test is represented in the Scatter diagram in Chart III. In the diagram, the ratio of actual capital raised by issuing the ordinary shares to the total capital raised is shown on the Y-axis. The X-axis represents the ratio of industrial debenture yield (net of taxes) to the divident yield on variable dividend securities. Now if the deductibility of interest costs were to make any significant change in the propensity to issue more debt than equity the correlation obtained in the Scatter diagram should be positively significant. The positive correlation between these two ratios is expected because as the net cost of borrowing decreases (due to tax policy) relatively to the cost of equity capital, the proportion of share capital in total capital should also decline. The observation of the diagram will bring to notice little correlation between the two ratios. In order to confirm this result arrived at by visual observation, we calculated the correlation coefficient between the two variables. And we found that such correlation coefficient was not significantly different from zero.

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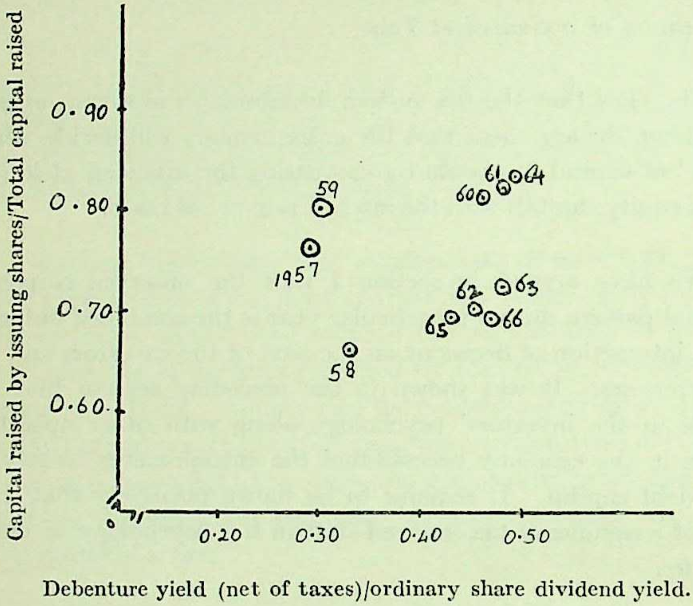
[11] M. H. Miller, *op. cit.*, pp. 414.

CHART III



Therefore, we can conclude, prima facie, that the growth in the borrowed capital in the capital structure of companies cannot be interpreted to have occured due to the change in the basic intentions of entrepreneurs.

V

The Implications for Monetary Policy

As was noted in the introduction to this paper, a suggestion has been advanced by many writers that the deductibility of interest costs diminishes the impact of the restrictive interest rate policy on the investment activity.

In the preceding pages we have proved, with the help of empirical evidence, that the deductibility of interest costs for tax purpose does not have any first order effect large enough to be detected on the basic intentions of the entrepreneurs with regard to the ' form ' of capital they choose. It has still less effect on the total volume of activity carried on by the corporate sector. To say that the deductibility of interest costs reduces the restraining power of the increase in the rate of interest is as good as saying that an increase in wages and other deductible expenses such as advertising costs do not have any deterrent effect on economic operations.

No investment project will be undertaken unless it is expected to break even marginally i.e. unless it is expected to earn a rate of return which covers at least the financial costs of that project. And the deductivility of the interest costs does not make any difference in investment decision because the enterprise has to earn before taxes to cover the full contractual interest costs to break even marginally. In other words " it is the *gross costs* which is significant in calculating break even point because only after the gross costs are covered fully by receipts can there be any increment of net income to make the activity really profitable."[12] A rupee of interest costs must be covered by a rupee of additional receipts, and a calculation of costs for purposes of investment decision based on net interest costs is dubious.

Moreover, the whole line of argument takes a very limited and over simplified view of the working of the monetary policy. The argument is based on two assumptions :

(*i*) Firstly, that the monetary policy works mainly through the change in the investment climate brought about by changes in interest rates in the literal sense i.e. in the sense of yields on assets which qualify for deduction under the income tax. (*ii*) Secondly that the influence of the credit squeeze on business decisions comes mainly and directly through the impact of the higher costs.

This shows as inadequate understanding of the manner in which the monetary policy operates : (*i*) In the first place, the rate of interest used in the discussions on an efficacy of monetary policy is not restricted to the riskless yields on debt instruments. The term is used as a short hand expression for the whole structure of yields. " To the extent that the monetary authorities could, in fact, move this whole structure, they could bring about a considerable change in the ' cost of capital ' relevant for corporate investment decisions."[13] (*ii*) In the second instance, the monetary policy works not only through ' cost effects ' but also through other indirect effects such as the influence of the increase in rate of interest on the demand for products. An empirical investigation through interview method conducted by H. F. Lydall[14] shows that businessmen feel worried over the possible fall in demand for their products whenever credit squeeze was in operation. Of the 304 firms which were asked the question no less than 141 said that their main reason for cutting their fixed investment plans on their stocks was that they were worried about the effect of the credit squeeze on their customers. Instead of taking the change in the rate of interest as purely a piece of credit policy, an individual businessman may regard it as a signal that the demand conditions are altering and that he should adjust his investment plans accordingly.

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[12] D. T. Smith, Effects of Taxation. Corporate Financial Policy, p. 25. (Graduate School of Business Administration, Harverd University), 1952.

[13] M. H. Miller, *op. cit.*, pp.435.

[14] Lydall H. F., " The Impact of the Credit Squeeze on Small and Medium Sized Manufacturing Firms "—The Economic Journal, Sept, 1957, p. 428.

Therefore, in view of the complex manner in which the monetary policy works, the deductibility of interest costs need not impair the success of monetary policy.

INDIAN FEDERALISM : IS IT DEVELOPING OR DISINTEGRATING ?

S. P. AIYAR

ALTHOUGH Indian federalism does not fit in neatly with the theoretical models of Western constitutional experience it is, nonetheless, a remarkable arrangement for a country as large and diverse as India. The framers of the Constitition were not interested in political philosophy or the logical categories of constitutional pundits. The leading figures of the Constituent Assembly were men trained in Law and familiar with its technicalities. Their main concern was to provide the legal framework for the governance of India and lay the foundations of national power. In doing this they had, what may be called, a bifocal perspective. They were concerned on the one hand with the immediate problems confronting the country which were threatening its existence ; on the other hand they were clear as to the kind of society that they would like to see evolve in the decades to follow. This bifocal perspective is reflected in the federal system itself for the Constitution-makers expected it to play one kind of role under " normal " circumstances and a totally different role during emergencies. The Central authority was strengthened by a wide range of powers for use in normal as well as emergency situations. They correctly assessed the divisive forces in the country and saw the various possibilities of constitutional breakdown in different parts of the Union. They placed severe restrictions on State authority ; made them financially dependent on the Union Government and rendered their use of executive power subject, if need be, to directives from the Union. The office of the Governor was expected to perform a link function ; through him the Centre could exercise close supervision over the working of the State.

Yet, in spite of the predominance of the Union Government in terms of constitutional law, the essence of the federal principle was not sacrificed. The system left a wide range of powers to the State and, as Appleby noted, all the important " Line " functions in developmental areas were constitutionally within their jurisdiction.

The Union-State relations as provided for in the Constitution of India were altered substantially in practice by the economic and political changes in the country. On the economic side, the establishment of the Planning Commisssion worked to strengthen the centripetal pulls in the arrangement for the logic of national planning necessitated central control over the use of limited resources. On the other hand, planning also accentuated, paradoxically enough, regional disparities and roused an awareness in the States of both their backwardness and of the possibilities of development with help from the Central Government.

The reorganization of the States on the linguistic principle strengthened local feeling and set in motion a " federalizing " process. Each State has demanded its own language both in education and in the administration; text-books are sought to be " ordered " to suit local sentiments; regional films foster pride in local (though distorted) history and there has been a militant demand for reserving jobs for local people. It has given rise to " Sons of the Soil " movements all over the country—some 53 " Senas " according to a P.T.I. survey—and aggressive demands for a greater share of national resources.

In the late fifties and ealy sixties, students of federalism noted the element of competition in the political system; the bargaining for more resources from the Centre for development was viewed as an inherently healthy trend. New labels for Indian federalism replaced older ones. Professor Morris-Jones for instance, surveying the impact of planning and the working of the National Development Council observed : " The upshot as regards plan formulation seems to be a convincing form of co-operative federalism—so long as we understand that phrase to include hard competitive bargaining. This is indeed the character of Indian federalism throughout. Whereas the emphasis in the Constitution is on demarcation, that of practical relations is on co-operative bargaining."[1] In the early sixties, bargaining seemed to be the essence of Union-State relations. Such a trend had been observed in other federal systems and it was therefore felt that the tensions and conflicts were temporary and even " functional " in so far as they indicated a search for new levels at which bargains could be struck. However, Morris-Jones's label of " bargaining federalism " only served to indicate the complexities of decision -making in the context of national planning despite a strong Centre dominated by the Congress. The bargaining capacities of each of the States in the Union, of course, differed. The dynamics of federalism revealed not a uniform pattern of Union-State relations but sixteen patterns, the situation

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[1] W. H. Morris-Jones, *The Government and Polutics of India* (London : Hutchinson University Library, 1964) p. 143.

in each State being *sui generis*. The paucity of case studies do not enable us to speak with confidence on these different situations which seemed to vary in terms of size, resources, exposure to modernization, education and styles of leadership. The dominance of the Congress at the Centre and in the States did not mean that the central leadership could always have its say in all matters or always effectively use its power to issue directives to State Governments to get things done. There were chief ministers who were willing to " conform " and work in the spirit of " co-operative federalism " i.e., agree to run the State machinery as the central leadership wanted to have it run; but there were also the " hard cases " of strong State leaders who succeeded in having their own way. In his well-documented study on *West Bengal and the Federalising Process in India*, Professor Marcus Franda has shown that even under the single party dominance of the Congress, political leaders and groups in West Bengal were not necessarily constrained to accept the central leadership. His study leads him to the conclusion that the " central government has not been as strong or as forceful in its relationships with West Bengal as the thrust of the Constitution and the dependence of the state on the centre would seem to make possible."[2] Among the sources of State independence, Professor Franda mentioned the party structure and system, the presence and influence of local " big men " and the capacity of local leadership to mobilize the population. He noted that " a high degree of politicization was combined with regional tradition to produce a situation in which a large segment of the population is highly conscious (and extremely jealous) of the separate cultural identity of Bengalis."[3] Local feeling in Bengal was, above all else, deepened by the frustration of the economically depressed middle classes who have always felt that they have not received a square deal from the central leadership.

The Fourth General Election and the Federal System

The Fourth General Election constituted a watershed in India's political development. It put an end to one party dominance and removed the stopper from the accumulated grievances which had been gathering in the Nehru era. It produced a situation of extreme political fluidity. Cabinet government was reduced to shambles through defections in a number of States. Presidential rule had to be imposed on Haryana, West Bengal, Uttar Pradesh,

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[2] Marcus F. Franda, *West Bengal and the Federalizing Process in India* (Princeton, New Jersey : Princeton University Press, 1968) p. 201.

[3] *Ibid.* p. 217.

Punjab and Bihar. Mid-term elections were held in these States in February 1969; of these the most important from the standpoint of Union-State relations was the return to power of the United Front Governemnt in West Bengal which secured a total of 201 seats out of 280 in the West Bengal Legislative Assembly. On February 25, 1969 Shri Ajoy Kumar Mukherjee was invited by the Governor to form the ministry. Since that time, West Bengal has provided further evidence for being India's problem State number one.

Immediately after the Fourth General Election political commentators were asking how non-Congress Governments would fare not only in their dealings with the Central Government but with each other. How long, the critics asked, would this mult-coloured raiment last ? Would the Congress itself eventually split up hastening the process of polarization which had already seemed to have begun with the Fourth General Election ? The unhappy experience of Haryana, Punjab, Uttar Pradesh, Bihar and West Bengal have only deepended the doubts regarding the future of the federal system in India.

The possibility of non-Congress Governments coming to power in the States was anticipated even in the early fifties and, in fact, Paul Appleby making a list of centrifugal forces in the Indian polity in 1953 had included "Two parliamentary systems operating concurrently, one in the Centre and one in the States, capable of coming under the control of different political parties." Undoubtedly, the very logic of federalism, as understood in the liberal constitutional experience of Western countries, presupposes this possibility: indeed, federalism has always been viewed as a convenient arrangement for countries with political, religious and linguistic differences. What was important for the success of federalism in the understanding of the exponents of classical federalism was a "desire for union but not unity." Federalism involves, they held, a delicate compromise between centrifugal and centripetal forces. James Bryce expressed this view graphically when he wrote that the problem of every federation is "to keep the centrifugal and centripetal forces in equilibrium, so that neither the planet states shall fly off into space nor the sun of the central government draw them into its consuming fires."[4] It follows that federalism cannot work unless there is a basic commitment to the consitution both as the fundamental law of the land and as the legal framework of the division of powers. The existence of political parties of varying political hues does not really matter so long as they accept the authority of the Constitution.

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[4] James Bryce, *The American Commonwealth* (New York : The Macmillan Company, 1891) Vol. 1, p. 348.

In examining the crisis through which Union-State relations are passing in this period following the Fourth General Election, it is necessary to ask whether it is possible to accommodate Communist States in a federal system based on the principles of liberal democracy. This is the crux of the question which I shall seek to answer with reference to the Communist Governments in West Bengal and Kerla.

West Bengal Government and the Centre

Immediately after the election, the United Front Government came to power on March 2, 1967 with Ajoy Mukherjee as chief minister. The United Front was a coalition of 14 parties but the C.P.I. (M) had 43 seats and C.P.I. 16 in the State assembly. Within just two weeks of its coming to power, it created a situation of labour unrest in the State which had no parallel even in West Bengal. It openly encouraged gheraos, violence and intimidation. The power of the police was hamstrung. Trouble also broke out in the strategic area of Naxalbari resulting in a breakdown of law and order and the emergence of a parallel government in that area. On November 3, 1967 the Food Minister, P.C. Ghosh, resigned with seventeen others bringing down the United Front. On November 21 Governor Dharma Vira dismissed the ministry and a Progressive Democreatic Front Ministry was formed with P.C. Ghosh as chief minister. This was followed by a 48 hour hartal accompanied by violence compelling the army to be pressed into service. The crisis deepened with Speaker B. K. Bannerjee adjourning the West Bengal Assembly even before it had begun transaction of its business on November 29. West Bengal moved from one crisis to another until Presidential rule was clamped down on February 20 under Article 356 of the Constitution.

The United Front Government which was voted back to power in the mid-term elections was not willing to forget or forgive what it regarded as the "unconstitutional" acts of the Union Government and of the Governor. Backed by the voting power of the masses it resolved to display its strength to the Central Government. United Front leaders have been confident that the Central Government will hesitate to use its powers against the State Government so soon after their resounding victory in the mid-elections. One of their first acts was to request the recall of Governor Dharma Vira. It is obvious that had the Central government consented to such a request it would have led to far-reaching repercussions on Centre-State relations throughout India. It is significant that the United Front leaders waited till they were sworn in as ministers and allowed the governor (whom they detested) to administer the oath. Had they objected to the Governor at the very outset, they could not have been in office. They attempted to humiliate the Governor by including in his address passages tantamount to a condemnation of his own actions leading to Presidential rule. Governor Dharma Vira courageously left the passages unread and, by implication, asserted his constitutional role.

On March 18, Chief Minister Ajoy Mukherjee told the West Bengal Assembly that his government did not want a clash with the Central Government; in fact they wanted to co-operate but he added that "if the Centre wants to cripple us, we shall resist." Planning Minister Somnath Lahiri said on the same occasion that the Centre had started creating obstacles for the State Government and cited the Governor's refusal to read out the objectionable passages. He stated categorically : "War has been declared by the Congress Government at the Centre and by the bureaucracy patronized by it. The people have given the UF the mandate to fight back and we shall do it to the extent it lies in our power."[5] On March 28, Home Minister Jyoti Basu blamed the Union Government for the firing which had taken place at Durgapur and condemned the use of the Uttar Pradesh Provincial Armed Constabulary contrary to the wishes of State officials. On April 10, the Rashtriya Sangram Samiti the trade union wing of the United Front organized a State-wide hartal to protest against the action taken by the security police at the Cossipore gun and shell factory, a Government of India undertaking. Here was the unedifying spectacle of a State Government (for all practical purposes) launching a strike against Central Government action in one of its own undertakings. It must be added that the State Government took no special precautions to protect Central Government offices.[6]

The State Government, it is clear, has sought to indict the Union Government on every possible issue and undermine its authority at the State level. The United Front Government has sought to manipulate and capitalize on the widespread middle class discontent against the Centre. If the lot of the masses is insufferable and if little is being done to improve it, the blame, surely, rests on the Union Government and the bureaucracy? It has declared its intention to change the rules governing the ICS, IAS, IPS cadres in order to exrcise control over them. Above all, the United Front Government seeks to monopolize the responsibility for "law and order" which explains their intense hostility to the Central Reserve Police. Once this is achieved, mass movements can be successfully launched and made use of in conflicts with the Centre and these conflicts, as the United Front Government sees them, are basically economic in character. On March 13 the West Bengal Committee of the CPM decided to organize the people of the State for a struggle against the "attitude" of the Central Government in refusing "to meet the food and financial requirements of the State." The party secretary, Mr. Promode Das Gupta observed that it was the idea of the CPM to ensure that ministers were backed by a powerful mass movement so that their demands would be met by the Centre.[7]

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[5] *The Times of India* (Bombay) March 19, 1969.

[6] *The Times of India* (Bombay) April 10, 1969.

To understand the full implications of Communist views on Union-State relations, the developments in West Bengal must be examined along with those in Kerala and, in particular, with the views of its chief minister, E.M.S Namboodiripad.

Kerala, E.M.S. and the Centre

The Fourth General Election brought the Communists back to power in Kerala. Asked about his reactions to the election results, Mr. Namboodiripad said that neither the disintegration of the Congress nor the get-together of non-Congress democratic forces was complete ; for him the process had just begun. Stresses and strains, he said, were inherent in the system but the correct policy for a country like India " should be based on the good old principle of unity in diversity."[8] He fired his first shot at the Centre, as the *Indian Express* of March 7, 1967 reported, by asking the people to rise against Delhi's rice policy and the increase in the price of rationed rice. He spoke of this as an affront to Kerala. A few days later on March 10, 1967 he wanted the Congress Government at the Centre and the non-Congress Governments in the States to " function in a spirit of co-existence." His plea for the interests of

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[7] *The Times of India* (Bombay) March 14, 1969.

[8] *Indian Express* (Bombay) March 4, 1967.

Kerala did not mean that he was against the Centre.[9] On March 28, 1967 the State Finance Minister, Mr. P. K. Kunju said that Kerala had every right to demand financial aid from the Centre because it was one of the major foreign exchange earning States in the country.[10] By April 11, the chief minister was certain that in the long run a confrontation with the Centre was inevitable because Union-State relations were basically a reflection of social conflicts. Individual differences on questions relating to food, industry or cow-slaughter could be settled but " the fact remains that on the big, broad questions of the living and working conditions of people, our approaches are different and there is bound to be a confrontation." Communist approaches to political and economic problems were different from those of the Congress at the Centre : "*The two approaches are so mutually exclusive that either one or the other must win ultimately.*"[11]

On December 29, 1968 the Eighth Congress of the Indian Marxist Communist Party met at Cochin and called for united action " to beat back " the Central Government's efforts " to discredit and overthrow the Kerala Government." In a resolution it condemned the misuse of authority by the Central Government and by its " creatures ", the Governor and the All India Services.

It is evident in all this that the Communist Government in Kerala finds the constitutional arrangements and the administrative system irksome and serious obstacles to their " progressive " policies. On January 5, 1969, E.M.S. joined K. Brahmananda Reddy of Andhra Pradesh and R. N. Singh-Deo in demanding a review of Centre-State relations. He had in mind the conflict which had ensued between the State Government and the Union on disciplinary action which was required to be taken against those who had joined the Central Government strike on September 19, 1968. EMS had condemned both the *Essential Services Maintenance Ordianace* which the Centre had passed.

There has been considerable talk of re-examining Centre-State relations by political parties of varying complexion. Partly this is a reflection of a desire to increase the ambit of State autonomy. As a result of economic planning, the Union Government had extended its sphere of influence in areas constitutionally reserved for the States. In many areas of nation-building activities, there has been considerable " back-seat driving " to use the expressive phrase of Professor Bhaskaran. The desire to restore to the States the position envisaged for them in the Constitution is natural and, perhaps, even necessary. The fact that intellectuals like Professor Bhaskaran and State Governments of different political hue have argued for a more workable—and more democratic-federal system and a re-examination and re-arrangement of the Seventh Schedule of the Constitution ought not to blur our understanding of the Communist position on this point. Mr. Namboodiripad has openly admitted that the UF Government is an instrument to fight " bourgeois-capitalist domination ". He has no illusions about the usefulness of parliamentary institutions.[12] Mr. Namboodiripad has clearly stated his views in *India Under Congress Rule* published on the eve of the Fourth General Election. The formation of non-Congress coalition governments in at least a few States, he wrote, " would be a very good beginning and combined with the united action on the streets, fields and factories would so strengthen the unity of the democractic opposition, so weaken the Congress regime, that the final defeat and displacement of the Congress will be immensely facilitated."[13]

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[9] Talk on AIR (Trivandrum) Reported by *Free Press Journal*. March 11, 1967.

[10] *The Times of India* (Bombay) March 29, 1967.

[11] In his interview with *Yojana*, reported by *The Times of India* (Bombay) April 11, 1967.

Communism and Federalism : Can they exist together ?

An examination of the attitudes of CPM leaders in West Bengal and in Kerala and the position taken by these governments reveals similarities at once striking and disturbing. True to the Communist philosophy, both Governments have well planned strategies of attack on the constitutional system. Centre-baiting is part of their strategy. Both are convinced that the Central Government will hesitate to dismiss them in view of the mass support they enjoy. Both West Bengal and Kerala use mass movements as a trump in their dealings with the Centre.[14]

It must also be remembered that an attack on the formal institutions of government is inherent in the logic of the class war in which the economically exploited masses are pitted in a historic struggle with their exploiters who are well entrenched in positions of power and influence in formal institutions. The real opposition to the Congress are the masses and it is the role of the United Front governments to organize them. " The ministers and leaders of the ruling Congress Party ", says Namboodiripad, are " living in a fool's paradise if they think that discontent against the regime would not be channelized into an organized national struggle since there is not one single party to unify the opposition forces."[15]

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[12] *The Times of India* (Bombay) Editorial, January 14, 1969.

[13] E. M. S. Namboodiripad, *India Under Congress Rule* (Calcutta : National Book Agency, 1967) p. 228.

[14] To mention the Communist Governments is not to absolve other State Governments who have not hesitated to use the threat of violence either to make the Centre yield to their demands or to indicate their intense displeasure with its decisions. The widespread popular belief that governments in the country only yield to threat or actual use of violence is shared by State Governments in their dealings with the Centre. India is fast evolving a kind of "blackmailing federalism."

To this class war approach of the Communists in West Bengal and in Kerala to Union-State relations must be added their view that India is a nation of nationalities. This is, in fact, what Mr. Namboodiripad suggested when he referred to " unity in diversity " as the best policy for India. His views on this theme are well laid out in his *Kerala, Yesterday, Today and Tomorrow*[16]. According to him, the process of national development which had begun prior to the advent of the British was arrested by the political unification of India. The exegencies of British administration led to the drawing of artificial lines dividing these nationalities. British rule suppressed but could not destroy the nationalism of Kerala. In the modern period the Communist party has tried to give the national movement a " progresive democratic content ". Congress leadership, however, was opposed to national sentiment in the States and by insisting that administration even in non-Hindi States be carried on either in English or Hindi showed themselves to be callous to the needs and desires of the people. Yet, despite these excursions into Kerala's history, the past does not seem to figure prominently in the positions adopted by the Communist Government. On the other hand, in West Bengal an intense awareness of Bengali literature, drama, art and film and the memory of the nineteenth century renaissance is an important factor in the political consciousness of the middle classes. They have consistently blamed the Central leadership, criticised Gandhi and Nehru, non-Bengali and foreign businessmen for conspiring in different ways against the true interests of Bengal[17]. While regional pride may eventually find its true place in a larger Indian nationalism, the ideology of the Communists makes it unlikely that they will ever reconcile themselves to the assumptions of liberal democracy and function within the federal system.

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[15] E. M. S. Namboodiripad, *op. cit.*, p. 8.

[16] E. M. S. Namboodiripad, *Kerala, Yesterday, Today and Tomorrow* (Calcutta : National Book Agency, 1967).

[17] Marcus F. Franda, *op. cit.* pp. 217-18.

Progressive weakening of the Central Authority

In the first decade of the Indian Republic the constitutional powers of the Union Government reinforced by the centralizing process of planning and one-party dominance under the leradership of Nehru provided for some measure of stability in the political system. Divisive forces were undoubtedly developing but they became pronounced after Nehru's death in 1964 ; after the Fourth General Election they present a challenge to the unity of the country. State Governments have resented the concentration of power at the Centre and attribute the failure of the plans as well as their economic condition to this feature of the Constitution. On the other hand, there is an equally strong opinion in the country that the Union Government requires not only all the powers given to it under the Constitution but it needs to be strengthened. The debate between the centralizers and the decentralizers is present in all federal polities but the crucial question in India is whether the Union Government will, in future, be able to function effectively in the federal system both as arbitrator in inter-State conflicts and as coordinator in the tasks of development. If by 1972 the Congress loses majority at the Centre, a patchwork Government with volatile and shifting support in Parliament may well cease to be the effective centre of the Indian political system. At present the Government of India is being fast reduced to the level of a " fire-brigade State " putting out political fires in every part of the Union ; the virtual disappearance of authority at the Centre may well convert India's centralized federal system into a helpless confederation.

T. H. GREEN AND THE BRITISH INTELLECTUAL ARISTOCRACY

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THE purpose of this paper is to re-examine the influence of Green on his contemporaries. In attempting this, it will try to indicate the complexity of late Victorian history and to briefly narrate the course of collectivist legislation; it will also recapitulate the demands for reform made by different sections of the people.

In this context, the influence of Green will be examined and his impact on later legislation attempted in the different fields of education, social amelioration and his contribution to the debate on social amelioration.

Taking *Robert Elsmere*, a then popular novel, wherein Green figures as one of the important characters, an attempt will be made to enquire whether his influence upon his students though deep-seated was healthy at all.

It will be aruged that Green's participation in politics tended to confuse his political philosophy and that in combining academic teaching with practical politics, Green was not doing anything unique. It will also be argued that not Green but an Intellectual Aristocracy and the momentum of reform were responsibile for the ushering in of the welfare state in Britain. An attempt will also be made to enquire if an idealist philosophy was at all necessary to justify collectivism. Between his political philosophy and the programmes advocated by Green there is no causal connection. The British state and its programmes were their own justification and they needed no Idealist philosophy to justify them.

The Collectivist Momentum

Since the passing of the First Factory Act in 1802, there was a gradual development of legislation covering up factories, workshops, conditions of work and hours of work in industrial establishments. With the right to form unions being granted it was but natural that the unions should pressurize for reform. By the 1860s legislation began to protect not only women and children but other sturdy employees as well. By the 1870s legalization of trade unions became a reality. Attempts were made to consolidate all these developments. The volume of legislation had by now gained a momentum of its own. The interested classes, thanks to their organization, could compel the government for reform in directions desirable to them. This does not mean that the entire legislation was contributing to wealth or happiness. The Taff Vale decision was a serious set-back for the labouring classes ; but it was nullified by a subsequent act of Parliament—the Trade Disputes Act of 1906.

What was true of labour legislation was equally true of housing, local government, public health and education. 1851 saw compulsion exercised by government for its approval to be obtained in all housing erections. The Shaftesbury Act which began this, was followed by a number of acts all of which were consolidated in the Housing and Town Planning Act, 1909. Similarly in public health, several individual acts snowballed consequent to the Royal Sanitary Commission of 1869 advocating a national minimum of national sanitation to maintain civilized living. The discoveries of Pasteur, the fear of the bacteria of tuberculosis, typhoid and cholera made the government of the 1870s to look into aspects of preventive medicine. Educational reform since the late 1860s took more rapid strides than it had in earlier decades.

Since much of the legislation in public health, education, and housing were enforced by local authorities it became necessary to reform local government. Since the 1830s there was a continuous attempt to reform both urban and rural local government. Here the work of Joseph Chamberlain was to set a model of what a dedicated public official could do to raise the standards of performance.

The Age of Reform

The late Victorian period remains an extremely complex era and no generalizations or dominant influences can be readily spotted or identified as being uniquely important. Recent historical research has severely challenged the conclusions of older writers on the subject of industrialialized England. We no more accept as valid the findings of the Hammonds as definitively and faithfully recording social change.[1] Lytton Strachey once put the pith of the matter very well : ‘ The history of the Victorian Age will never be written ; we know to much about it ’. ‘ The movement that is going on is so continuous, the variety so great that every historical comment seem fumbling and inaccurate, every generalization inconclusive and incomplete.’[2]

Several changes took place and the religious revival begun by Wesley continued and had a central and important place in the beginning, the middle and the end of Victorian England. The revival of religious interests and the dominance of sectarianism was due to the appearance of not only an unceasing number of remarkable men who gave themselves wholeheartedly to religious issues. Protestant sects had always been concerned about social welfare both in Britain and in the U.S. It was also because religion was becoming dynamic and appeared as though it could meet effectively the challenges of social maldevelopment through the intervention of religious social action. The Catholic Church too threw up energetic pastors who were able to meet its social obligations more creatively than did their Protestant brethern. Manning was one such. The dissenting sects frequently argued about the short comings and the lack of any moral sense in the dominant Anglican Church; this critique elevated all social questions to moral and spiritual heights to which purely secular considerations could never soar.

Though a number of changes were taking place in Victorian England the older order of the aristocracy was able to continuously receive into its ranks new members and thoroughly absorb them. The government continued to be aristocractic though it was no more the exclusive aristocracy that it was in the 18th century. The newer business classes and the manufacturing interests were assimilated into the older classes thanks to the public schools. ‘ The old landed gentry, the professional men and the new industrialists were educated together, forming an enlarged and modernized aristocracy, sufficiently numerous to meet the various needs of government and of leadership in Victoria's England and Victoria's Empire.’[3] The public schools and the narrow religious instruction given there bred in the ruling class a concern for the poor, the weak, the economically backward who were not able to look after themselves. This only emphasizes the fact that in the variegated pattern of late Victorian history there can be no one dominant influence, no one whose voice or example could be regarded as *the* pre-eminent one.

The period from the 1870s to the beginning of this century marks the development of modern electoral democracy in England ; it also records the growth of collectivist activities on a large scale. The Victorian origins of the welfare state are to be seen in this period fanning out in different directions. Various fields of activities are supposed to have contributed " towards social democracy."[4] A belief in progress generated a widespread attitude that one could deliberately and carefully control the forces of social change.

This was the underlying principle which bridged both Benthamism and Fabianism. This belief in turn made for state control over several areas of activity. But such measures for state control were made always in a piecemeal, experimental manner, to be drawn later into comprehensive codes. Thus local governments could experiment in gas and water socialism—the bold, adventurous social engineer tried his hand at local politics and won his laurels at definite solutions of small problems. The belief that one could change one's environment led in its turn to the modern scientific approach to social research. Government inspectors, private individuals as different as Henry Mayhew and Charles Booth respectively collected impressionistic information and vital statistics. The weighty blue books and the Parliamentary and Royal Commissions of Enquiry left practically no sphere of social investigation uncovered. They called for expert witnesses and opinion and could command attention and advocate reforms on matters of public policy.

The growth of the towns and industrialism had spawned a large working class. With the gaining of rights to form unions and with the right to the franchise these unorganized classes began to clamour for concessions, for the recognition of their interests. They could threaten action through mass rallies. The upper classes were sympathetic to their demands and the working classes discovered methods of wrenching concessions for themselves.

The period was also to see a ferment of ideas connected with the advocacy of change and social betterment. Christian Socialists mingled with those advocating secular solutions for ending human misery ; anarchists and socialists, revolutionaries and gradualists, piecemeal social reformers and doctrinaire reformers churned out a variety of proposals which leavened the social thought of England and contributed to the enrichment of experience and insight in adopting measures of social reform. Religion which was once concerned with saving souls was now interested in more immediate problems. And the role of religion in the reform movements in England of the 19th century cannot be minimised,—for even those who had no belief or faith in the dogmas of Christianity brought to bear on social reform an enthusiasm that was truly religious.

If one were to catalogue the extent of legislation in England since the 1870s one would clearly notice that Tories as well as Liberals contributed to legislation much of which was in fact a continuation of earlier legislation. It is well-known that several Tory statesmen in the early decades of the nineteenth century took part in labour legislation and initiated far-reaching reforms. The near-ten year Conservative ministry in England is not supposed to be noted for its concern for social reform. In fact Bonar Law at a later date was to observe that '.........personally (he) believed that, for the Conservatives, social reform was not on the whole a profitable line to pursue.'[5] But the party passed the Workmen's Compensation Act, 1897 which accepted the liability of the employers to pay compensation for those injured in the discharge of their duties ; the Factory Act of 1901 consolidated and the uptodated the various earlier legislation covering workshops and factories. The Education Act of 1902 was an important measure after 1870 ; the Shops Act of 1904 enabled the local government authorities to shorten the working hours of shops should it be regarded necessary. 'The Unemployed Workmen Act of 1905 marked an important break from the tradition of the Poor Law, establishing an administrative structure of local committees separate from that of the Poor Law and authorized to establish labour exchanges, assist in emigration and perform other functions.'[6] Whether the Tories attempted these measure whole-heartedly is another question. But they could not ignore the onward compulsions of industrialization. Even before they came to power there was an impressive list of legislation most of it contributing to reform, and these had gathered their own momentum.

An Intellectual Aristocracy

The mid and late Victorian period was one wherein there was a great ferment in ideas, beliefs, attitudes upon all matters of social concern. Part of this has been attributed to the rise of an intellectual aristocracy which more or less dominated all the centres where public opinion was formed. The cry for social reorganization came from journals, pulpits, centres of learning, key positions in political parties and in those pressure groups which arose for various purposes. And all these were manned by the new aristocracy.

This aristocracy consisted of a few leading families which inter-married and parted, and again sought connection with others. The Clapham Sect with the Macaulays, the Quaker families the Frys, the Hodgkins, Foxes and Barclays, the Unitarians—philanthropic or radical families with the Wilsons, the Wedgwoods and the Darwins often had intellectual connections with the Trevelyans and the Stracheys—the last two families compelled to serve in Indian service due to their straitened circumstances. 'Thus the separate roots grew into a trunk most massive in the sixties and seventies when the new liberalism of franchise, women's education, and university extension drew them together.'[7] These families dominated not only the colonial and the Indian service, but entered the Civil Service, became members of the inspectorate which was expanding and had positions in museums and either ran journals of opinion or wrote for them or entered publishing houses. 'Thus they gradually spread over the length and breadth of English intellectual life criticising the assumptions of the ruling class above them and forming the opinions of the upper middle class to which they belonged. They were the leaders of the new intelligentsia......... a term which, Russian in origin, suggests the shifting, shiftless members of revolutionary or literary cliques who have cut themselves adrift from the moorings of family. Yet the English intelligentsia, wedded to gradual reform of accepted institutions and able to move between the worlds of speculation and government, was stable. That it was so—that it was unexcitable and to European minds unexciting— was in part due to the influence of these academic families.'[8]

Philanthropy and reform were common themes upon which they were all agreed upon though on everything else they had their differences of opinion. Decades of Christian, nonconformist and dissenting sectarian opinions, beliefs and attitudes had instilled in them a 'sense of dedication, of living with purpose, or working under the eye, if not of the great Taskmaster, of their own conscience —that organ which evangelicalism mangified so greatly. There was the sense of mission to improve the shining hour and the profession to which they had been called. There was the sense of accounting for the talents with which Providence had endowed them. There was also the duty to hold themselves apart from a world given over to vanities which men of intergrity rejected because they were content to labour in the vineyard where things of eternal significance grew—in the field of scholarship where results were solid not transient.'[9] Their wide catholicity is evident when we become aware of their adrocacy of intellectual, religious and secular freedom whether it be in the universities or outside. They were mainly responsible for getting rid of the obsolescent restrictions of the Universities of Oxford and Cambridge which prevented dissenters from entering it.

This aristocracy was an open one and welcomed anyone with brains, application and a capacity for hard work. Though all aspired to be gentlemen they never equated gentlemanliness with nobility of birth, purity of blood or antiquity of family. Being continuously replenished from other orders it maintained a consistently fresh outlook on social and other problems. 'They valued independence and recognized it in others. Because they judged people by an exterior standard of moral and intellectual merit, they never became an exclusive clique and welcomed the penniless son of a dissenting minister as a son-in-law if they believed in his integrity and ability. Because their own proud standards were assured they tolerated a wide variety of belief. They might be Comtists, they were often followers of Mill, they might be agnositics, or they might continue to adhere to the church of their fathers; but they all respected each other's beliefs, however deeply convinced that the beliefs were wrong. They were agreed on one characteristics doctrine; that the world could be improved by analysisng the needs of society and calculating the possible course of its develop ment.'[10]

Green belonged to this aristocracy and could trace his descent from the family of Cromwell; he was related to the Vaughan family and was to be married into the Symonds. His students at Oxford who came under his speell (for we must remember that they still came from well-to-do classes) would have been fired with a similar entusiasm even had they gone to another college or centre of learning. Green therefore was one of the members of the intellectual clerisy which so nobly contributed to reform and to the reorganization of ideas and values in late nineteenth century.

Green's Influence

People as different as Muirhead and Crossman have testified to the great influence of Green not only on his disciples but on public policy.[11] Even Sidney Webb from whom one should expect no sympathetic accounts of Idealist metaphysics, testified to the pervading influence of Green on subsequent collectivist legislation.[12] R. G. Collingwood was to recall in his *Autobiography* : 'The school of Green sent out into public life a stream of ex-pupils who carried with them the conviction that philosophy, and in particular the philosophy they had learnt at Oxford, was an important thing, and that their vocation was to put it into practice."[13] Melvin Richter has made a list of such men who occupied positions of importance. In the fields of higher education, in social work and in politics key positions were held by students of Green. His importance is instanced by the fact that in the 1906 elections, 31 Balliol men were returned; of these 22 belonged to the Liberal Party and in the Cabinet there were 4 Balliol ex-students. In the first elections held in 1910, 29 Balliol men were returned of whom 15 happened to the be Liberials ; in the second elections of the same year there were 30 Balliol men with 15 belonging to the Liberal Party.[14] Of these the most important was Asquith. But though Asquith remained an important figure, it is difficult to state categorically that he was moulded by Green. Asquith himself in his memoires says : "For myself, though I owe more than I can say to Green's gymastics, both intellectual and moral, I never worshipped at the Temple's inner shrine."[15] Dicey in his *Law and Public Opinion in England* (1905) does not refer to the influence of Green on subsequent legislation. The one Party which could have given effect to legislation and which might have owed much to Green's ideals was the Liberal Party and it was rent by the Home Rules Question and in the ministry of Rosebery the struggle for succession and the factions and the rivalry almost made any such innovations impossible. If the influence of Green had to be seen in the Ministry of 1906 we must remember that the two most controversial of bills the National Insurance Act of 1911 and the Old Age Pension Acts of 1908 owed their success to Lloyd George and Winston Churchill—both of whom were far removed from Balliol. Beveridge was to have in later times an important impact on matters of public policy. His *Unemployment, a problem of Industry,* (1909) was to be influential ; he too, was a Balliol man and a student of Caird. For a time he was Sub-Warden of Toynbee Hall ; his Master of Balliol advised him : "While you are at the University your first duty is self culture, not politics or philanthropy. But when you have performed that duty and learned all that Oxford can teach you, then one thing that needs doing by some of you is to go and discover why, with so much wealth in Britian, there continues to be so much poverty and how poverty can be cured." The occasion on which he spoke these words is significant ; it was 'under the impact of Charles Booth's revelation of Life and Labour in London.' Caird's advice says Beveridge, gave him no inkling on the things that bothered Beveridge most—that of making a living.[16] The advice of Caird was under the revelations of Booth's investigations ; it contains the usual exhortatory advice generally offered by professors to students—especially students who are leaving the university. Earlier we had noted the course of legislation in England in the beginning and the middle of the 19th century—we have also argued that the momentum gained was sufficient to continue further legislation. There is no direct evidence of Green's influence on the course of legislation and Richter the most recent student of the period confirms the view. 'Certainly no other political philosopher was more important during this period, but the number of his readers indicates that the technical quality of Idealist language and concepts put a limit on his influence, which in any case was only one of the forces operative at that time. Although Green's formulae were in some form adopted by many who did not know him directly, there is no accurate way of determining their contribution to legislation. It is more profitable to regard Green as a significant example of attitudes held by a man both sensitive to the main currents of ideas of his day and familiar with arrangements and procedures which, although not formally part of the Constitution, played an important part in its operation.'[17]

Medieval Oxford turns Contemporary

Another aspect which is usually stressed is that the University of Oxford in Green's time was turning away from its stale, dreary and uprofitable earlier pre-occupations to those that were truly creative. *The Oxford Magazine,* commented upon this soon after the passing away of Green and Toynbee :—

> ...Oxford has turned from playing at the Middle Ages in Churches, or at a Re-Renaissance in cupboards ; and a new faith, with Professor Green for its founder, Arnold Toynbee as its martyr, and various societies for its propaganda is alive among us.[18]

The new innovations noted were the election of Green the first layman as a Fellow of Balliol, to be its first professional philosopher; and for the first time an Oxford don elected to a Council but standing as an ordinary citizen and not as one representing the University.

The first two relate to the history of the reformation of the older universities. A little earlier to Green's entry, Oxford was trying to release itself from the sectarian bonds and Oriel college threw open its gates to students of all sects to apply for scholarships. Jowett had made Balliol a superior college with a tradition to look back upon with pride. Earlier we have indicated that what Green did to unite high principles with practical politics was also attempted (though in a distinctly different way) by the intellectual aristocracy.

It is understandable that his example and his devotion to political and advanced causes should influence many minds. The biographers of Jowett quote one instance of an undergraduate confessing in later years of the awe inspired by Green. So do several others, *e.g.*, Bryce. Jowett, as will be indicated later, was apprehensive of this influence. Very much like graduates at an impressionable age imitating their admired teacher's accents or mannerisms, it became common for the disciples of Green to take part in urban politics. Green had the distinction of being the first of academic men to participate in small town politics. Several among his student academics followed him in becoming councellors in their respective university towns. But the future course of municipal reform was to follow the example set by Joseph Chamberlain in Birmingham. The participation of Green was perhaps more symbolic than substantial. However, his academic contemporaies began to show a devotion to political causes that was no less ardent than that of Green. And being near contemporaries of Green they were uninfluenced by him.

Professor Beesly of University College, London, for thirty years professor, was an active participant in labour and trade union politics. 'He was more closely indentified with the labour movement and exerted more influence upon it than any other university teacher before G. D. H. Cole. He played an important part in inducing the new model unions to engage in political action and he was the first architect of the political strategy that secured the unions their present "privileged" legal status."[19] His support of the trade unions over the affair of the gunpowder explosion at Sheffield, nearly cost him his professorship at the University College.[20] At Oxford itself was James Thorold Rogers, professor of Political Economy (1862-67) an ardent advocate of reforms whose active interest in politics and reform cost him continuance of the professorship. He represented the constituencies of Southwark (1880-85) and Bermondsey (1885-86) as a Liberal Member. Similarly, in Oxford Mark Pattison suffered for his liberal views. Though he was in Oxford in an academic capacity, he participated in educational reform and went to Germany on a commission to study the German system of education.

Caird is generally supposed to have been deeply influenced by his friendship with Green and to have continued the traditions of social commitment on becoming Master of Balliol. A reading of Caird's life demonstrates that even before he came to Oxford his mind had already been shaped under John Nichol. His pondering over the writings of Carlyle and Goethe had strengthened his philosophic idealism and social commitments.

Another contemporary of Green, Goldwin Smith involved himself in contemporary problems. Appointed Regius Professor of History, in 1858, there was no issue where he did not have a part to play ; he participated in the public debate whether it be on free trade, the Civil War in America, Oxford Reform or colonial questions. He contributed not a little through his writings and his controversial pamphlets to social debate. He remained along with Mill one of the moving spirits in the Jamaica Committee established to bring Governor Eyre to book for inflcting excessive cruelties in his attempts to suppress a rebellion of negroes in Jamaica.

Green's Utilitarianism and Idealism : The C.O.S.

Green's moral inclinations stressed the importance of the individual's self-realization and of the fostering of personality. In the abstract pages of the *Principles of Political Obligation*, we can see no definite references to contemporary legislation—but the one place where he refers to them contains definite fears that these would denude the moral dimensions of the agent.[21] In the lecture on Liberal Legislation, however, the Utilitarian in him predominates and he advocates collectivist reforms ; there is no reference to moral issues at all.

This dual strain in Green had a dual influence on different types of disciples. Ritchie claimed to be a Socialist and a Collectivist, and Bosanquet and his disciples became stern individualists supporting Tory philanthropy, worthy causes and generally fearful of the propensity of a colletivist state to demoralise individuals.

This contradiction is inherent in Green's own thinking, and these two parallel lines of suggestions never meet at any point In discussing the right to Property, Green's undue stress on the importance of the moral personality of the individual made him fear collectivist action. The acquisition of property makes for moral responsibilities to dawn on the individual for familial duties to be fostered and for the development of the personality. It was this aspect that Bosanquet, began to stress as did the group that ran the Charity Organization Society. Bosanquet, his wife and his brother, together with the magnetic personality of C.S. Loch dominated the attitude to be adopted towards distribution of charity. Loch's theory of charity dispensation was widely influential. In letters to the *Times*, in pamphlets, and in articles in journals, he popularized the idea of charity. His idea of charity organization and discussion was filled with an extremely individualistic approach. Man must make provision for what he termed the ordinary contingencies of life. The happiness of individuals, no less of societies depend upon each taking care of himself, and his family ; otherwise the entire community would be demoralized.

It was within this pattern of thinking that Loch filled his proposals for charity administration. Charity should help a man to stand on his own feet. All endeavour should be made to see that the individual does not become totally dependent upon charity. Even if the pressure brought be that of fear or shame, or social reprobation, it would be worth-while. The family should be the unit of assistance.

Certain assumptions behind this approach are that ' self-dependence ' was possible for all and if any one was destitute, the entire responsibility was with the subject himself. It never dawned on Loch that the social structure might be responsible for compelling the individual to seek charity. Mrs. Bosanquet was to give forceful expression to this view : ' But what if the social conditions will not permit them to meet the responsibility (of family) ? It is a vain and idle hypothesis. The social conditions *will* permit them ; for their very effort to do so will make them steady and efficient workers, whose services will be valued by the community, and will be supplemented by the help of the young people who will grow up in such a family as theirs will be.'[22]

It requires no comment that such an attitude can be as chilling and cold as charity. The school of Loch exhibited the older narrower *laissez faire* attitude to proverty in its most terrible manifestations. It was against this that the Collectivists battled. Administration of Poor Law was generally done in the spirit of the Act of 1834 which was not designed to encourage any poor needy person to take advantage of the workhouse.

When the famous Committee was appointed to enquire into the working of the Poor Law, it was dominated by C. S. Loch, Mrs. Bosanquet, and Octavia Hill. However, the inclusion of Charles Booth, George Lansbury and Mrs. Webb offered a counter theory to be put forward with regard to the proposals. C. S. Loch and his followers looked back to the Poor Law and its efficient administration with a reformed local government system with increased central aid.

The minority report mostly written by Sidney Webb wholly rejected this solution of Loch and proposed to tackle the problem on a different footing altogether. It might be true that it was an individual's lack of foresight that made for destitution but the fault was not totally the individual's. The community's social arrangement too was at fault. No one should be allowed to fall into destitution. This would be possible if the community undertook to take care of the children, educate them, protect people from sickness and unemployment and also provide for a minimum below which none should be allowed to fall. The Poor Law required to be scrapped totally.

The majority view was important in being the most outdated of proposals made for setting right the social evils of England. The minority report dominated public policy and legislation in the years to come. If C.S. Loch and Bosanquet represented one aspect of Green's philosophy of property, they met their defeat in the Report on the working of the Poor Law.

There was, however, another side to collectivism and to the recommendations of Green. The Lecture on Liberal Legislation was in keeping with the enlightened view of the times and the pragmatic and utilitarian considerations outlined there became the accepted methods of public policy to reduce inequality. But these demonstrated nothing new in social thought or policy.

In another branch, Oxford was to pave the way for social reform movements. This was in the running of Settlements, especially the example set by Toynbee Hall. If C. S. Loch was the moving spirit behing the C.O.S., Canon Barnett was the person who was responsible for elevating the Settlement to be a model much emulated in distant shores. Toynbee Hall's inspiration too came from Oxford and it was dedicated to the life, teaching, and ideals of Arnold Toynbee. Both Toynbee and Barnett '...accepted a " practicable " Socialism which (they) thought could be put into operation without revolution, redistribution of income, increase in taxation and political parties. Toynbee foresaw no changes in the social structure. He put his faith in the belief that Robber Barons could be turned by exhortations into Robin Hoods.'[23] Observers saw in the social worker of the Toynbee Hall ' . . . a dictatorial busybody who retreated only before the Sister of Mercy or Deaconess.'[24] But though the Settlement was an Oxford idea it worked in an atmosphere of active sectarian interest, interference, and advocacy of social reform.

When England was fast industrializing there were the inevitable rash of squalor, ugliness, and needless social misery. Several in the eighteenth century such as Defoe saw the correctable social evils which were being perpetuated for want of drive and will. Not a decade passed without there being public men fired with an anger at these social miseries. The Victorian discovery was that these could be corrected while enriching society at the same time. While many believed that a whole reorganisation of society and the economy would be necessary, others such as Green advocated the old formula of change of heart on the part of the governors.

Did Green turn out prigs?

Professor C. D. Broad comparing the achievement of Green and Sidgwick observed : ' Even a thoroughly second-rate thinker like T.H. Green, by diffusing a grateful and comforting aroma of ethical " uplift," has probably made far more undergraduates into prigs than Sidgwick will ever make into philosophers.'[25] This vague and soul-filling abstraction into which a disciple could pour what contents he chose to is accepted by even the most ardent defenders of Green : " All his concepts are vague : Freedom, individual rights, the common good, the general will, and the state. He ought to have spelled out the specific economic and social factors in positive freedom. He should have spelled out the import of the common good in concrete standards applicable to economic and political rights. As he left it, it was standard that could mean much or little, depending on who applied it.'[26] This infectious enthusiasm that Green conveyed to his disciples worried men as different as Sidgwick, Pattison and Jowett. It is now necessary to turn to this.

If Green had abiding influence on his students we lack a biography or an autobiography of any one of the pupils, detailed enough to lay bare the hundred and one little things in which a great man's influence is felt by his disciples. *Robert Elsmere* remains one of the few works which attempt artistically, if not empirically to trace the influence of the moral philosopher on one of his students. The portrayal of Green, by Mrs. Humphry Ward, pedestrain as it is, is still useful and one views it as a case-study of the influence of Green over his pupils.

If the character of the philosopher lacks any vividness, the fault is not entirely Mrs. Ward's. Academic moral philosophers seldom make interesting characters in novels. If they are devoid of eccentricity or of any other endearing individuality as was Green, the task of the novelist to create a memorable character is indeed well-nigh impossible. And Green never had the gift of the telling phrase, the sparkle of conversation or of unforgettable *bon mots*; neither did he take an active blustering part in the issues of the day. His high seriousness, his propensity for abstraction, and general lack of humour certainly did not qualify him as a model of a character for any novelist. Here, one has only to think of Jowett whom the most stolid of biographers cannot flog; or of Mark Pattison and Goldwin Smith and their active participation in contemporary issues and high sensitivity of character which lend themselves to fine analysis. Whatever either of them participated in, whether it be church reform or university reorganization, they raised to a high intensity with their vast intellectual powers and scholarship with their gift of terse expression, and telling sarcasm.

Robert Elsmere is no *New Republic* but Mary Arnold (as she was then), an intellectual and a scholar of no small order, knew the Greens intimately even as she knew the Pattisons. She was one of the Liberals in religion and politics and an attack on any one of her liberal friends could provoke her to indignant retort. The novel is partly dedicated to the memory of Green, whom she portrays as Henry Grey, one of the important characters in the novel.[27] The review of Gladstone in the *Nineteenth Century* (May, 1888) spiralled the sales of the book exceeding the millionth imprint. Though not many of the readers of the novel knew the identity of Grey, the message of Green as interpreted by Mrs. Ward percolated to a larger audience than it ever would have otherwise. Fortunately the reader is spared of any lengthy expositions of Hegelianism in the novel itself. The general views of Grey, however, are made clear.[28] Interested as we are, in the political philosophy of Green, the subject matter of the novel is of only marginal interest. The theme is the story of the hero, taking to holy orders and relinquishing it at the beginning of what surely was shaping to be a brilliant clerical career. The Rector is gnawed by doubts about the historical validity of the miracles and the dogmas of Christianity. Though he finds it difficult intellectually to accept these, spiritually he feels at home in the religion. Giving up the Rectorship, he finally leaves for London, where while advocating a more liberal interpretation of the religion, helps in the founding of a Brotherhood. To do justice to the theme, she has to weave arguments and dogmatics into the narration. In spite of the phenomenal success and sales the author failed in satisfactorily developing the central problem which necessarily had to remain intellectual.[29]

Robert entering St. Anslems, 'the liberal headquarters' at an impressionable age falls under the spell of Grey (Green) even as a freshman, when his contacts with the tutor are neither frequent nor intimate. Langham, his immediate tutor, knows full well that 'the lad will take to Grey's influence like a fish to water.'[30] Robert's acqaintance with the famed tutor was restricted to exchange of salutations when crossing the quadrangle of the College. Occasionally, the philosopher would stop to speak to him for a while. Later, Elsmere was to attend 'Grey's philosophical lectures, following them with enthusiasm, and making use of them, as so often happens, for the defence and fortifications of views quite other than his teacher's.[31]' Once Robert left Oxford, one '...could count on the fingers of one hand the occasions on which he and Grey had met face to face. But for him, as for many another man of our time, Henry Grey's influence was not primarily an influence of personal contact. His mere life, that he was there, on English soil, within a measurable distance, had been to Elsmere in his darkest moments one of his thoughts of refuge . . .The saintly life grows to be a beacon, a witness.'[32]

In his very first year, Robert was taken to listen to a lay sermon strictly meant for his undergraduate students. But Langham, his tutor, thought him to be 'far enough on to make it interesting to (him).'[33] The theme of the sermon was a passage from St. Paul, 'Death unto sin and a new birth unto righteousness.' To St. Paul and to Grey who now was intepreting him, these were no historical facts as much as 'aspects of a spiritual process perpetually re-enacted in the soul of man.'[34] The thought itself is not complex and is a common topic in the philosophy of religion. As was to be expected of Grey, this was treated on a high metaphysical, plane 'which no boy fresh from school, however intellectually quick, could be expected to follow with any precision. It was not therefore, the argument, or the logical structure of the sermon, which so profoundly affected young Elsmere. It was the speaker himself, and the occasional passages in which, addressing himself to the practical needs of his hearers, he put before them the claims and conditions of the higher life with a pregnant simplicity and rugged beauty of phrase.'[35] The outward scene as well as the sermon itself sank indelibly in Robert's mind. When Robert pressed his thanks to Langham, the latter was to remark that it was one of the best of Grey's. He felt that he would have missed something great if he had not heard it.[36]

'All the main points of the experience which followed stamped themselves on Robert's mind with extraordinary intensity. Nor did he ever lose the memory of the outward scene. In after years, memory could always recall to him at will the face and the figure of the speaker, the massive head, the deep eyes sunk under the brows, the Midland accent, the make of limb and feature which seemed to have some suggestion in them of the rude strength and sinplicity of a peasant ancestry ; and then the nobility, the fire, the spiritual beauty flashing through it all.'[37] On many dark occasions in Robert's life, the lay sermon of Grey as well as the life of the tutor were to console him. Robert, far gone in his doubts, when struggling with his beliefs and convictions, meets Newcome, a brother pastor who suggests that he should trample himself and set all doubts at rest by sheer faith. 'How easy it sounded, how tempting, to cut the knot, to multilate and starve the rebellious intellect which would assert itself against the soul's purest instincts ! Newcome had done it—why not he ? '[38] But here, Robert recalled the words of Gray's lay sermon though 'torn' from a different context : 'God is not wisely trusted when declared unintelligible. Such honour rooted in dishonour stands ; such faith unfaithful makes us falsely true. God is for ever reason : and His communication, His revelation, His reason.'[39]

In some of the most important decisions that Robert took in his life, he was to confide in Grey first and others only later. This was so when he made up his mind to take orders. He opened his heart to Grey who merely asked him if he had any difficulties. Robert was a pupil of Langham's for a longer period and he had taken greater pains with his studies : yet the youth preferred to talk to Grey first on his decision. At Gray's persuasion, Robert tarried at Oxford for three more years where he became a brilliant teacher and a popular person. But his health was to break down under the severe strain. After recovery, he was offered the rectorship of Murewell which he hesitated in accepting. If he was not strong enough to meet the demands of the duties of Oxford how would he stand the onerous duties of a pastor coupled with the poverty which it must necessarily entail ? Here again, Grey decided for him-Murewell was accepted though not immediately.

These are, however, minor matters compared to the greatest crisis in the life of Robert—that of loss of faith in the dogmas of the Church. While he disowned the dogma, he found that the Christian faith had an attraction all its own. A study of the erudite works of his scholarly neighbour, Squire Wendover, as well as lengthy discussions with him were mainly responsible for the corrosion of his religious beliefs. Earnest and sensitive to the claims of his conscience, Robert's main problem was how to continue in an office of the Church preaching the doctrines and dogmas of Christianity without having any belief in them.

It is significant that Robert decides to see Grey and seek his advice. Even to his wife, Robert does not reveal his decision to consult Grey, lest she should oppose this. In his tête-a-tête with Grey which happens to be his last one as well, Robert relates the change in his beliefs as well as his decision to give up his ministry[40]. Grey, having experienced similar difficulties, is sympathetic and concoles him with a vague pantheism—that God is everywhere, capping it by a quotation from Emily Brontë. He also insists that Robert should fully confide in his wife about his doubts. He plans the future of Robert's life assuming that the step had already been taken. The meeting with Grey acted as a tonic on Robert. ' He was no longer filled mainly with the sense of personal failure, with scorn for his own blundering and impetuous temper, so lacking in prescience and in balance ; or in respect to his wife, with such an anguished impotent remorse. He was nerved and braced ; whatever oscillations the mind might go through in its search for another equilibrium, to night there was a moment of calm. The earth to him was once more full of God, existence full of value."[41] The new creed of Robert can be put succinctly: ' God is everywhere but Christinity is local and parochial.'[42]

The pilgrimage of Robert from the dogmas of the miracles to a position closely resembling Unitarianism was no intellectual journey. Langham knows as does Grey that it was faith that made Robert a churchman ; it was loss of faith that was responsible for his resignation from the church. Robert's rationalization of his actions just fail to convince. ' . . . In the novel itself the question is really always put aside by reference to . . .Grey. And throughout the book, side by side with the formal arguments, runs another notion, sometimes even explicitly stated ; that if Green believes it, it must be sound, if Green believes it, it is at least a possible base for the good life . . .We certainly do tend to think highly of beliefs because impressive people hold them, and we think that right and natural. But it is not argument, and its relation to argument needs investigation.'[43] Argument and philosophical investigation in the novel are rather thin. Perhaps even under Grey's tutorship Robert was not trained to be a student of philosophy of any great excellence.

Robert founds a new Brotherhood in London which becomes a successful experiment. He is lionized by the rich society ladies of London and his activities are widely publicized by the press. When he is on the point of making his new Brotherhood very successful he is infected by consumption and dies very much as Toynbee, Green's most brilliant pupil died.[44]

The hero of the novel models himself on the character of Grey and is profoundly influenced by him. In all the great decisions of his life of the spirit Robert consults Grey. It has to be accepted that the relation as portrayed in the novel appears to be forced and artificial. There is no spontaneity in the hero's evocations of Grey; the moments of nostalgia and rememberance of Grey's message appear forced upon the reader. Personal relations are difficult things to potrtray and this is especially so with a character like Green. Mrs. Ward however, fails to utilize fully the various practical interests of Green, that lent verisimilitude to his character and endeared him to his students. Of his starting of Coffee Taverns, his advocacy of temperance, his interests in education no mention is made. Only once, in the whole novel does Robert allude to Green's influence in local politics.

Though the novelist fails to portray successfully, and realistically the relationship between the tutor and the pupil, the students who were under Green carried with them memories of a great teacher and a noble soul. 'I never go to see Green without feeling that I ought to be ashamed of myself, and, by Jove, I am ashamed of myself,' an undergraduate was to confess.[45] "We used to say of him—and his senior said the same—that one never talked to him without carrying away something to ponder over."[46] If the pupils had a warm admiration for the moral philosopher, it was not because he took great part in the things that interest undergraduates. He was not interested in sports, and was but a rare visitor at parties.[47] 'His instinct was to be silent and shun society.'[48] Serious in his deportment and interests he was 'averse, to whatever was luxurious or frivolous in undergraduate life.'[49] His stern simplicity, and earnestness that compelled respect and his warmth made devotees of his pupils. Since 1868, he began to take his students regularly on vacations. The first time he did this, it was considered quite an event at Oxford.

Since Green lacked the gift of words that his pupil Toynbee had in abundance, it might be surmised that he was not popular as a lecturer. But this was not so. Though students had great difficulty in following his lectures and though he was no eloquent speaker, ' his lecture-rooms were full, and his pupils enthusiastic. I do not think that they all understood him, but they all regarded him with love and honour. '[50] All who knew him are agreed that his influence was due to his sterling character—— '...... his personal influence was even greater than his influence as a Lecturer. '[51] Bryce hit the nail on the head when he described his influence as mainly religious.[52]

In this novel, Grey is supposed to have had an influence on Robert that lasted all his life. An influence such as that of Grey's could be due to two causes : either intellectual stimulation of a high order or the forceful and emulative personality of the philosopher which attracted students even as a magnet attracts filings. We are told in the novel that the occasions when Robert met the professor after leaving Oxford were even less than five. Even at Oxford there does not seem to have been any very close contact, otherwise, Mrs. Ward would have stressed it. The occasional stroll with Grey, the half hours on Sundays with him seem to have left only nostalgia in the mind of Robert, but little else. Of course Robert studied philosophy under Grey. But about his career as a student and the influence of Green in the making of his character, Mrs. Ward is not precise. The intellectual nourishment in no way determined the actions of Robert. It was his essential good character that made him what he was. The hero as minister fought and won from his squire certain minimum decent conditions of livlihood for his flock with a tenacity and doggedness that would have warmed Grey. But so did countless pastors of the Victorian age without the benefit of being disciples of the moral philosopher.

The teaching methods of Toynbee and Green explain the wild enthusiasm of their pupils. Toynbee and his teacher Green, used to arouse an entusiasm in their pupils akin to a passion for their disciplines and their *weltanschung*. Jowett, the Master of Balliol never approved at all of Green's pedagogy. The historian of Balliol College rightly described Green as ' ....above all things a system-builder, and for that rason, the magnetic influence which he exercised.........caused Jowett some hours of uneasiness.'[53] It pained him to see youthful pupils under the tyranny of a philosophical system.[54] And he had cause for his hours of uneasiness. Green's handling of Hegelisnism would have clean bowled over many of his pupils as it no doubt did. Robert Elsmere was one of the casualities of the system. The stand of Jowett in this was particularly right. He ' ....had long learnt to distrust philosophical systems, as much as he distrusted enthusiasm. Between Green and himself, " there was the greatest affection possible ; " but he could not bear to see Green's pupils compelled to absorb their tutor's home-spun system, before they were equipped to criticise it. ......Jowett had proposed to himself (a principle) ....that tutors ought to refrain from *any* kind of proselytism, that the true aim of the teacher is to make his pupil think for himself, not to make him think what his teacher thinks. After he became Master, some of the Balliol tutors found this principle altogether unsatisfying. Green and Toynbee, especially, discarded it. They did not hesitate to use every opportunity of framing and fixing the mind of any worthwhile young men who swam into their tutorial nets. Teach him to think for himself ? Teach him, rather, to think the right way, *my* way. '[55]

Hegelian idealism can be heady wine. And the pupils coming as they did at an impressionable age found it a wholesome philosophy of social and personal conduct. And there was the life of the tutor himself noble in character, a standing monument to his philosophy. They tended to judge the philosophy by the person who expounded it and 'received' wholly their moral teachings with a glowing enthusiasm that was comforting to youthful and starry-eyed idealists. It could and often did impart a great moral fervour to social reform. Toynbee Hall is an eloquent testimony to its wholesome influence. But most pupils of Green later in life never seriously re-examined the validity of the first principles which they imbibed at an early age. It is significant that the criticism of Idealism had to originate in a University other than Oxford.

To Oxford contemporaries of Green, the dangers of this were not wholly unknown. The *Memoirs* of the ailing, declining Mark Pattison contain comments on the new philosophy which pierced through the veil admirably : '........ For more than a quarter of this century Mill and nominalistic views reigned in the schools. But gradually the clerical party rallied their forces, and since the Franco-German war have been advancing upon us with rapid strides. This fresh invasion of sacerdotalism has been accompanied by a renewed attempt to accredit an *a priori* logic, though in a less cumbrous from than the Kantian, bristling as that does with postulates and assumptions—ideas of the reason, ideas of the understanding, the two *Anschauungsformen*, and all the other *Begriffsdichtungen* with which the Kantian loves to decorate his imaginative chamber. What is curious is that this new *a priori* metaphysic, whoever gave it shape in Germany, was imported into Oxford by a staunch Liberal, the late Professor Green. This anomaly can only be accounted for by a certain puzzle-headedness on the part of the Professor, who was removed from the scene before he had time to see how eagerly the Tories began to carry off his honey to their hive.'[56]

In an earlier section mention was made that there is no evidence that Asquith was influenced by Green. Yet it has been argued, by A. H. Birch, in his *Representative and Responsible Government* that assuming that Asquith was influenced by the Idealists, the influence was not to be a healthy one. Asquith's 'approach to problems of government was marked, on the one hand, by a belief that discussion and negotiation would eventually produce a solution that would be accepted by all parties and, on the other, by an intense dislike of any violent or unconstitutional action which would interrupt or distort this process. He had little or no understanding of the position of a minority which felt so strongly about an issue that it was prepared to break the rules in its campaign for what it considered to be its rights.'[57] It was because of this essentially abstract, rational approach that Asquith failed to see the fundamentally just demand of the female suffragettes mainly because they used methods of force and violence. Similarly, he tended to ignore the demands of the Irish Home Rule movement. The English Idealists tended to believe 'that British society was sufficiently homogeneous' that there could be no sections of society opposed to the other. 'The result is that their understanding of politics tended to break down when sharp sectional differences were exposed. The suffragette campaign was one instance; the Irish question was another; the conflict between Muslims and Hindus in India was a third; and the general strike of 1926 may possibly be cited as a fourth. It is perhaps significant that Asquith's biographers say that " the iniquity of the general strike seemed to him so patent, so glaring that he thought the facts need only to be stated to carry conviction to every mind. "[58] Similarly, Ramsay Macdonald brought up on Idealist political philosophy brought in a concept of a general will to the political set up and rejected the notion of the right of the majority to rule. In 1911, he supported the contributory scheme for the National Insurance Bill though it was condemned by Fabian and Labour leaders; his support to it was given on the principle that workers should not depend solely on state charity. On women's suffrage he had the opinion that women ought not to have more influence in politics than men and that they had no natural right to vote. 'His decision to form a national government in 1931 had unfortunate consequences for the Labour Party (which subsequently expelled him) and ruined MacDonald's reputation in left-wing circles. But no impartial student can doubt that, rightly or wrongly, it was based upon a conviction that in a situation of serious economic crisis the most important need was the preservation of national unity. He felt that his actions, unpopular though they were with most members of his own party, reflected the common will and would be endorsed by the majority of voters at the next election, as indeed they were. '[59]

It would be invidious to attribute all these to Green's influence. Nevertheless it indicates that Idealist influence in practical politics might not have been altogether healthy.

Was a new philosophy of the State needed ?

Did Green offer a convincing philosophy of collectivism? Was his philosophy of the State convincing and influential because he offered valid arguments justifying the increase in State action ? It is generally regarded to be so. But a rethinking on the period qualifies this claim.

Lord Brougham as early as in 1861 had commented upon the representative system by which a large number of people elect their representatives to be ' The greatest invention of modern times. '[60] When in 1864, Gladstone announced in parliament that ' everyman who is not presumably incapacitated by some consideration of personal unfitness or of political danger is morally entitled to come within the pale of the Constitution,' he is supposed to have' caused consternation.'[61] The opposition to this came from the Tories and Disraeli said that the suffrage was ' to be gained by virtue, by intelligence, by integrity. ' Yet within five years Disraeli was to extend the franchise.

The mandate too became one of the popular devices by which politicians could ask the electorate to offer its final decision on important public issues. ' The electors were treated as capable, not merely of electing members, but of making decisions on political questions, such as the maintenance of free trade, or the disestablishment of the Irish Church.'[62] This rapport between the public and the goverment made even a Conservative Statesman like Lord Salisbury declare in 1864, in the *Quarterly Review*, an organ of the

Conservatives : '.........Any policy which is approved by the mass of the nation is certain to be promptly adopted by its rulers..... .. no Government could exist in England three months that was acting in the face of a decided national conviction.'[63]

The importance of this was realized even by Radicals who now saw in the election and in parliament legitimate methods of introducing reform. In 1880, George Shipton, a working class Radical, called for reform of the land laws, for a more representative municipal government, for the establishment of school boards in all the districts, for election expenses to be kept within limits by official auditing procedures and for the abolition of property and rating qualifications for the right to vote. Another successful Radical candidate of 1880, W. S. Caine, referred to the need for the equalisation of the voting qualifications of rate payers, of the reform of the Game and Land Laws, of self-government in the county districts etc. Henry Labouchere, in his Election address in 1885 talked of the need to reform local government, for the revision of land laws and for the right of the elected candidate to a seat in parliament—a right for which Bradlaugh was to fight with ardour and success in the 1880s. George Howells, a working class radical in 1885 called for a thorough reform of the land laws, of the abolition of primogeniture and entail of landed property, of the entire sweeping away of the game laws ; he also advocated a reform of local government. All these four called for radical reform like the abolition of the unrepresentative House of Lords, the reduction of the Civil List and of sinceeures, and the total separation of the Church and State etc.[64]

What is significant to note is that Radicals as well as Conservatives in the 1870s recognized that the entire system of politics and government was legitimate and one which would gradually represent all the interests ; creative obedience to the state was justified by the *practice* of government. There was no *problem* of political obligation. It needed no philosophy of the State to justify it ; if Green offered a valid philosophy of the state it was so because the people had already accepted it.

Conclusion :

The survey of Green's influence has indicated that by the last decades of the 19th century, an impressive battery of legislation covering all varied aspects of social life had been passed and these cumulatively extended to several areas of public life. The Victorian origins of the welfare state had already begun. Though one may for the sake of convenience call the period the Age of Reform, it remains a complex era with several strands weaving the pattern ; several influences contributed to it—one of the most important of these being the religious. The aristocracy which earlier was the custodian of political and social change was not totally displaced. Electoral reform enabled the lower classes to assert themselves increasingly on social and political matters.

There was a ferment in social ideas and an intellectual aristocracy began to spring up which grew under the shade of the political aristocracy. It advocated reform and was in the van of all progressive ideas. It acted as a buffer which absorbed all radical ideas and softened them for acceptance by the upper class. It brought in notions of responsibility and its influence was writ large in Victorian and Edwardian England. Green belonged to this class.

Against this background of the period, it is clear that the influence of Green is exaggerated by Laski and others.[65] A careful examination of the record of legislation does not categorically and definitively indicate the influence of Green on any sphere of collectivism save that on education. Green's views regarding collectivisim are an index of the new spirit that had permeated Oxford which till then had not interested itself in contemporary problems. If Green was interested in active politics there were several other academics whose devotion to political participation was not less ardent : Goldwin Smith and Beesly were two such.

Green's influence was vague on definite issues like the right of the state over property. His undue emphasis on the moral nature of the acquistion of property made him frown upon collectivism which would affect the growth of the moral dimensions of individuals. This aspect of the influence of Green was to exhibit itself in the working of the Charity Organization Society and the opposition of C. S. Loch, its moving spirit to all collectivist reform. There was another utilitarian side to Green's views on the subject and its influence was wholly healthy. Ritchie claimed to be a disciple of Green and was an advocate of collectivism.

Toynbee Hall indicated another aspect of the influence of the social reform movement. Though the life and the living example of Toynbee was responsible for the founding of the Hall it would be rather difficult to trace its founding directly and exclusively to the influence of Green.

Part of the influence of Green was his vague abstract approach to social problems which magnetized youthful graduates under his spell. The analysis of *Robert Elsmere* indicates that such influence could be disastrous for the furture mental independence of the disciples of Green. The philosophy of Green was judged by the students not on its merits but on the example of Green's life. It could exercise an unhealthy influence—an apprehension which Jowett had about the influence of the Hegelian philosopher. The influence of Green over his disciples was near to 'conversion;' its abstractions could make for no realism in the interpretation of social realities. It is possible that some of Ramsay MacDonald's terrible political miscalculations were due to an Idealist interpretation of his times.

An examination of the speeches and writings of the Tories and the Radicals of the period proves that there is a surprising unanimity of opinion on a number of issues touching the fundamental bases of the British Constitution. The working of the British Constitution appears to have been its own justification— needing no philosophical vindication of the actions of the State at all.

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21. *Principles of Political Obligation*, p. 39; Sec. 17.

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23. *Ibid.*, pp. 67-8.

24. *Ibid.*, p. 71.

25. C. D. Broad, *Five Types of Ethical Theory*, London, 1934, p. 144.

26. H. Holloway, Mill and Green on the Modern Welfare State, *Western Political Quarterly*, xiii, 1960, pp. 404-5.

27. Green '...and his wife became our intimate friends, and in the 'Grey' of *Robert Elsmere* I tried to reproduce a few of these traits-traits of a thinker and teacher, who was also one of the simplest, sincerest and most practical of men-which Oxford will never forget, so long as high culture and noble character are dear to her.' Mrs. Humphry Ward, *A Writer's Recollections*, New York, 1918, 2 vols., vol. 1, p. 176.

28. 'The whole basis of Grey's thought was ardently idealist and Hegelian. He had broken with the popular Christianity, but for him, God consciousness, duty, were the only realities. None of the various forms of materialist thought escaped his challenge; no genuine utterance of the spiritual life of man but was sure of his sympathy.' *Robert Elsmere*, London, 1888, Book I, ch. v, p. 62.

29. To discerning contemporaries the weakness of the novel was evident. See R. H. Hutton, *Criticisms on Contemporary Thought and Thinkers*, London, 1894, vol. ii, p. 263 f. Gladstone too, saw the weakenss of the argument and later Mrs. Ward came to agree with his criticisms; see, Mary Scrutton, An Intellectual Novelist, *The Listener*, June 21, 1951. More recently, Mr. Baker has put the point of view of the twentieth century judgment on the novel : '...Mrs. Ward in short, was a popularizer of recent religious history and the speculative differences underlying it; she knew how to make the history of ideas interesting to those who liked to think they were following intellectual and moral arguments when they were only treading the measures of an ordinary sentimental dance-tune. A course in this subject of the day was a vital part of culture in the circles which she knew well to depict; and if her studies of the conflict are of minor philosophical importance, their great vogue is an interesting historial fact.. 'E. A. Baker, *Hisory of the English Novel, The day Before Yesterday*, London, 1938, p. 120.

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38. *Ibid.*, Book III, ch. xxv., p. 330.

39. *Ibid.*

40. *Ibid.*, Book IV, ch. xxvii., p. 351 f.

41. *Ibid.*, Book IV, ch. xxviii, p. 359.

42. *Ibid.*, Book IV, ch. xxviii., pp. 364-5.

43. Mary Scrutton, *op. cit.*, p. 994.

44. Arnold Toynbee, one of the most brilliant of Green's students died in 1883, at the age of 31; he was the model for the character of Edward Hallin, in Mrs. Ward's *Marcella*, (1894). He '...carried into the service of the poor working people in East London, the sociological ideals inculcated by the philosopher.' C. C. J. Webb, *A Study of Religious Thought in England from* 1850. Oxford, 1933, p. 115 n. Neither Mrs. Trevelyan in her biography of Mrs. Ward, nor Mrs. Ward herself in her recollections, mentions Hallin as being modelled on Toynbee.

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46. J. Bryce, *Biographical Studies*, London, 1903, p. 88.

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56. Mark Pattison, *Memoirs*, London, 1885, pp. 166-7.

57. A. H. Birch, *Representative and Responsible Governemnt*,London 1964, p. 100.

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60. Quoted, C. S. Emden, *The People and the Constitution*, Oxford 1933, p. 3.

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AMERICAN ALTITUDES TOWARDS UNEMPLOYMENT RELIEF AND INSURANCE: A STUDY IN THEIR EVOLUTION IN THE PRE-NEW DEAL ERA

B. RAMESH BABU*†

THE American conceptions of relief of the needy, whether they were unemployed workers or belonged to the various categories of dependent people,[1] were inherited from the seventeenth century British Poor Law System. Each man must be held responsible, according to the Poor Law, for his failure to provide for himself and his family the necessities of life. It was feared that any effort to aid a man in this regard would relieve him of his own responsibility, make him improvident and reduce him into a habitual dependent on society. While such a philosophy implied no aid to the unemployed or those otherwise in need, society stopped short of it. The British law assisted the needy but took every precaution to hedge its aid with numerous deterrents and indignities with a view to make relief unpalatable and, thereby, avoid " pauperization " of the people and prevent any slackening in their effort to provide for themselves. However, harsh as the Poor Law was, it embodied the principle of public obligation to provide some measure of relief to the destitute.

These inherited notions stubbornly persisted in the United States long after they became discredited in the land of their origin, thanks to the strong tradition of individualism, the popular conception of the country as " the land of opportunity " and the almost mythical belief in " success "—i.e., every man had the chance of reaching the highest position worthy of his ability and effort. It is not that these popular notions were untrue, but the fact that they were held widely and with real conviction (even by the unemployed workers themselves) for long militated against an early development of public relief on a large scale in the country.[2] These convictions together with the age-old tradition of local self-government acted as strong obstacles in the way of federal participation in the field of unemployment relief. It was only after the failure of private and local public relief was demonstrated over and again by recurring depressions during a period of over hundred years, and only when the unprecendented emergency following the Great Depression made any other course of action impossible, that the federal government entered the relief scene late in 1932, towards the end of the Hoover Administration. Having come in, the federal government was dragged along the irrevocable path of expanding relief action and expenditure by the very severity and persistence of the depression.

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† This article is adapted from his Ph.D. dissertation entitled " Unemployment Relief and Insurance in the United States, 1929-1946."

[1] It was only gradually and not till the 1870's that a distinction was made between the involuntarily unemployed and the other traditional categories of the needy. The actual organizing of relief programmes suited to their separate needs came even much later.

Private versus Public Relief

Wasting the taxpayers' money and inefficiency and corruption in government have always aroused popular disapproval and intense criticism in the United States. On this score, local public relief (state action in this field was yet to begin) fared badly in the 19th century. It was administered so badly that it became discredited and chief reliance for relief in the country was laid on private and voluntary action. The New York Society for Improving the Condition of the Poor in its report of 1823, described public relief as thoroughly demoralizing and painted a dismal picture of it.[3] Experience with public relief during the depressions of 1857-58, 1873-78, and 1893-97 did not improve its reputation in the public eye. By 1900 local public relief— " public home relief " or " outdoor relief " as it was called—had "utterly failed." Its administration was " uncertain, insufficient and highly demoralizing." During the first decade or two of the 20th century, as a consequence, private relief agencies became the proud carriers of the relief burden in the country. Public relief was confined to a small segment of the relief task such as the care of the homeless. The private agencies became highly organized and centralised, and they approached the

[2] The strong traditions of individualism, love of freedom and bias against governmental action; the refusal of a pragmatic people to be swept off their feet by utopias; the unshaken belief of the American masses, even in the midst of the worst depression, that in their country able and deserving persons have a real chance of reaching "the top"—a belief which could not have lasted so long if it were completely untrue; the consequent, characteristic absence of class hatred or animus against the rich; and the non-ideological nature of the American labour movement were among the more important factors which militated and always militate against radical or revolutionary movements in the United States. The unprecedented depression of the 'thirties was yet another instance, if one was ever needed, to prove that revolutionary overthrow of capitalism was never popular with the American masses.

[3] Homer Folks, "Making Relief Respectable," *Annals* (Philadelphia), 176 (November 1934) 151.

public welfare agencies with an attitude of condecension. Though the prejudice against the public agencies persisted, the private agencies, faced with lack of funds during the recession of 1921-22, were forced to accept the local public welfare agencies as partners in giving relief and allow the latter to assume a large share of the unemployment relief burden.[4] The private agencies, however, remained convinced of their superiority in relief matters and even in the early ' thirties the prejudice against public relief was so strong that Ruth Taylor, Deputy Commissioner of Public Welfare in Westchester County, New York, felt it necessary to urge the social workers not to look down upon public relief agencies, but to help them with their experience. Speaking at a symposium on private versus public relief organized by the National Conference of Social Work in Minneapolis, Minnesota, in June, 1931, she asked the private agencies to treat " us " (public welfare agencies) as partners and not as upstarts. Pointing to the seriousness of the emergency facing the country she said that public welfare was a fact and should not be ignored. In meeting the challenge before the country, she remarked, the public agencies were equally anxious to provide relief to the unemployed ; and they would greatly appreciate the help of the private agencies in this regard. But, she added emphatically, if the private agencies approached them with any air of superiority, the public agencies would not have anything to do with the former.[5]

Speaking at the same social worker's conference, in a less dramatic and more persuasive strain Harry L. Lurie, Director of the Bureau of Jewish Social Research in New York City, explained that the drift to public relief was a progressive step. To look upon this change merely as transfer of functions formerly performed by voluntary agencies into the sphere of governmental activity, Lurie argued, was to miss the more fundamental underlying implications.

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[4] *Ibid.*, 152; Lea H. Feder, *Unemployment Relief in Periods of Depression* (New York, 1936) 345 and 350. Feder's book is a study of the experience of certain American cities with unemployment relief during six periods of depression between 1857-1922. Florence Peterson, "Unemployment Relief-Local and State," in Don D. Lescohier and Elizabeth Brandeis, *History of Labor in the United States*, 1896-1932 (4 vols., New York, 1952-53, originally published in 1918 and 1935) III, 218-9. First two of this admirable four volume history of American labour were written by Professor John R. Commons of Wisconsin and his associates. The third and fourth volumes were written by former students of Commons and his colleagues at Wisconsin along the lines laid down by him.

[5] As given in Josephine C. Brown, *Public Relief* 1929-1939 (New York, 1940) 81. Miss Brown's account of the period flows from her long experience as a social worker and her close association with federal relief and work relief for serveral years. The present writer had the privilege of visiting her in Princeton, N. J., and of discussing with her some of the issues concerning unemployment relief during the 'thirties.

Private charity, he pointed out, looked upon poverty and need not as a concern of the whole community, but only of those few individuals who wanted to be charitable. This philosophy was based on the idea that poverty and need were indications of personal incompetence, if not abnormality. The extension of private charity to deal with all categories of the needy whatever might be the cause for their dependency (including unemployment resulting from economic dislocations), Lurie explained, was a historical development, and was based on the same old and outmoded philosophy of personal incompetence and improvidence. The drift to public relief, which meant the assumption of responsibility by governmental agencies representing the communities as a whole and not leaving it to the vagaries and uncertainties of private philanthrophy was, therefore, a progressive and thoroughly justifiable step. If public relief was improved in the light of experience and with the help of the private agencies, it might as well be regarded a real contribution made by social work in the evolution of modern economic and social programmes in the United States, Lurie added.[6]

Notwithstanding the need felt by the public welfare officials to establish their credentials before the country for administering relief and notwithstanding the tall claims made on behalf of private relief characterizing it as " the American way," it must be pointed out that even as early as in the 1920's public agencies were the mainstay of the country's relief needs and accounted for a major share of expenditures. In New York City, in the year 1920, for example, nearly $ 3 millions were spent from public sources while only about $ 1·77 millions were supplied by the private agencies.[7] In subsequent years the trend of public agencies assuming increasingly larger share of the relief burden continued. Though the private agencies made heroic efforts and raised their collections from over $ 10 millions in 1929 to over $ 49 millions in 1931 and to over $ 57 millions in 1932, they did not account for more than about a quarter of the total expenditures on relief in the 120 urban areas surveyed.[8] After 1932 the proportion of private relief funds in the total expenditures on relief decreased steeply (to about 6·2 per cent in 1933 and to about 1·4 per cent in 1935), partly because of the large scale outlays for relief initiated by President Franklin Roosevelt in 1933 and partly because the private relief collections, which were raised by appealing to a man's feelings of charity and concern for others (which were at best transitory), could not be sustained at a very high level year after year.

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[6] *Ibid.*, 81-2.

[7] US Works Progress Administration, *Trends in Relief Expenditures 1910-35* (prepared by Anne E. Geddes, Washington, 1937) table on "Expenditures for Outdoor Relief from Public and Private Sources, New York City, Specified Years, 1910-1934."

Even the public agencies, the local and state governments, whose sources of supply were much wider and more continuous, could not provide for the unceasing flood of unemployment of the 'thirties'. The local governments and the states strained their utmost, reached the limits of their borrowing capacities and constitutional powers, but still they were unable to cope with the situation. From all public sources relief expenditures were raised from $ 33 millions in 1929 to over $ 54 millions in 1930, to $ 123 millions in 1931 and $ 251 millions in 1932. But these funds, huge as they were, were not enough to provide relief even to a majority of the unemployed on a resonable scale, let alone the question of providing them with adequate relief.[9] The magnitude of the relief problem was such that more private relief, plus more local and state relief, plus more federal relief was not enough to meet the situation. To indulge, then, in the earlier patterns of thinking and to talk in terms of private versus public relief and local versus federal relief became meaningless.

[8] *Ibid.*, table on "Expenditures for Relief from Public and Private Funds in 120 Urban Areas, 1929-1935." See also Dorothy C. Khan, *Unemplyment and Its Treatment in the United States* (New York, 1937) table on page 16. Not only did the public sources account for over 70 per cent of all relief expenditures in the country in 1932, there was confusion among the private agencies. In spite of all the centralization they achieved earlier, in New York City alone as many as 900 relief agencies were operating and their methods of relief were "piecemeal, stereotyped, demoralizing and ineffective," according to a British writer, A. S. J. Baster, *The Twilight of American Capitalism, An Economic Interpretation of the New Deal*, (London, 1937) 7.

[9] No comparable or otherwise satisfactory statistics on the number of people on relief and the size of the relief-payment for the country as a whole are available. However, every book, study or narrative covering the Great Depression era refers to the large scale destitution and inadequacy of relief—both as to its extent and size-during the early 'thirties. Innumerable sources could be cited. But the few given here might be regarded as adequate. US National Resources Planning Board, *Security, Work, and Relief* (Washington, 1942) 29-30; for an account of the local and state relief and its inadequacy, Brown, *Puclic Relief*, 72-80 and 89-98; Lecohier and Brandeis, *History of Labor*, 223-38; and Broadus Mitchell, *Depression Decade, From New Era through the New Deal*, 1929-1941 (New York, 1955, first published in 1947) 99-108.

Cash Relief

Thoroughly inadequate as the available relief (public and private) was at the time, the methods adopted and standards maintained in administering relief needed urgent improvement and considerable modernization. Soup kitchens and bread lines, relief in kind and " commissary " system of distributing relief goods, " food orders " and " grocery orders, " and various other archaic and demoralizing forms of relief were resorted to. These and other nostrums were advocated and adopted during the early years of the Great Depression, in spite of the fact that past experience had amply demonstrated their defects and inadequacies. While it was inspiring to see Americans spring to action in large numbers at the instant call of need, thoughtful citizens were pained to see past mistakes repeated and to note how little was learnt from experience. It was often said of these emergency measures, as Joanna C. Colcord, Director of the Charity Organization Department of the Russell Sage Foundation remarked, " their only merit is their spontaneity."[10]

Though, relief methods adopted in each depression saw a repetition of earlier practices often along with their pitfalls, a closer analysis of the experience in the United States reveals an evolution of certain trends and is suggestive of future developments. The general acceptance of relief in cash as superior to payment in kind, and preference for giving work to the unemployed over relief (in cash or kind) were two of the important tendencies that evolved during the hundred years and more of American experience in providing relief during the " bad " times. As early as in 1873 the Chicago Relief and Aid Society, commenting on its experience of assisting the victims of Great Chicago Fire of 1871, upheld the superiority of cash relief to other forms. Its experience with bulk purchase of goods and distribution, the Society said, did not prove economical as was usually claimed, and led to numerous complaints as to the quantity and the quality of the goods supplied. Then the Society tried the system of issuing orders to the retail dealers who were to deliver relief goods to clients in their homes. This led to complaints of neglect and ill treatment in addition to the earlier objections regarding quality and quantity of the goods supplied. The Chicago Society, consequently, abolished all relief in kind (except blankets, fuel and shoes) and gave money to the victims of the fire. " Whatever objections may be urged against this policy ", the Society asserted, " we think that it is justified by experience." The relief recipients could make good use of the money by buying what they wanted, and there was no ground for complaint. The possible objection that the relief recipient would squander away the money, the Society said, was not sustained by experience. The incidence of abusing relief money was very small and the few cases that were discovered, the Society held, would not be checked by giving relief in kind because the goods supplied could be sold or diverted by the imprudent.[11]

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[10] As quoted in E. P. Hayes, *Activities of the President's Emergency Committee on Employment* (Concord, New Hampshire, 1936) 103.

In spite of the Chicago Society's experience clearly establishing the superiority of cash relief, the public welfare agencies were reluctant to give money to the relief clients even as late as the early 'thirties. Some of the public welfare officials favoured meeting the prospective relief recipient and ascertaining his or her ability to spend the money prudently before giving cash. Such a practice was based on two notions, both derived from the inherited notions of personal responsibility of the needy for their plight, and from social-work ideal of case method and individualized relief. If a needy individual was so imprudent as to fail to provide for the rainy day, the argument proceeded, how can he be trusted to judiciously spend the relief money. After all, the social worker with her long experience could stretch the relief dollar the farthest and with her scientific knowledge of nutrition teach the house wife how to get the most out of relief money. Such an approach might have been alright when public relief took care of the chronic dependents and mentally unbalanced or otherwise incapacitated persons. The indiscriminate extension of poor law philosophy to the able bodied, normally employed, self-respecting workers who became unemployed for no fault of their own, but as a result of economic forces beyond their control, had no justification whatsoever. Many public welfare officials and social workers began to realize that their reluctance to adopt cash relief implied that the unemployed workers who were till the other day earning their livelihood, became all of a sudden, on losing their jobs, ignorant of what they needed most and what was important for their families. This was clearly absurd. More absurd was the implication that the workers' wives who had been managing their homes very well (at least satisfactorily for themselves) suddenly lost all capacity to run their household not because something went wrong with them but because their husbands lost their jobs.[12]

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[11] Joanna C. Colcord, *Cash Relief* (New York, 1936) 9-10. Colcord, a social worker of long experience, examines in this book the growth and subsequent discarding of relief in kind and how by 1934-35, cash relief became the most accepted form of direct relief in the United States.

In spite of this realization of the desirability and the superiority of cash relief, during the first year of the Great Depression, relief in kind was the dominant mode. As need became suddenly urgent and immense, and the funds available were meagre, social workers wanted to make sure that the relief money was utilized for providing the unemployed with the necessities of life. As there was not enough time to ascertain the capacity of prospective clients for judicious spending, relief in kind became an " indirect substitute for education in home economics and knowledge of clients." Moreover, the donations of old clothes and furniture, discarded goods of all kinds and other sundry household materials from well-meaning citizens that poured into relief offices could not be refused and had to be distributed. However, the unemployment relief effort of the 'thirties, after quickly passing through the American cycle of outmoded forms like soup kitchens, relief in kind, central purchasing and distribution, food orders and dealer agreements, came round to accepting cash relief. During 1933-34, and especially after its actual implementation by the Roosevelt Administration, providing relief to the unemployed through direct money payment became the dominant and the most common form all over the United States, whether provided under local, state or federal auspices.[13]

Work Relief

Providing work in order to relieve unemployment had a long history behind it. There were two standard ways of doing this. One was through what was called work-relief, i.e., undertaking employment projects (small and simple ones in the earlier periods of American history and later big undertakings as well), which embodied certain relief elements like restricting eligibility for work to the needy, paying less than normal wages and tailoring the projects to suit the low level skills and needs of the relief-seekers. The second method was through public works i.e., regular construction projects launched with a view to enlarge the total available employment in the economy so that some of the unemployed, if not all, would have jobs. In the United States, as in other countries, the distinction between the two was not understood and even after realizing the essential difference between them, the two were not kept apart in actual practice. Often faced with inadequacy of funds, the government agencies were forced to spread the available funds wider and make them last longer. Provision of work to the unemployed, as a result, became " cheaper, " but it also became less satisfactory because the process inevitably led to more " relief " and less " work ". Furthermore, the urgency of the need for relief often did not leave the time necessary for planning and launching work programmes, while at the same time preference for work-relief over other forms militated against direct relief.

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[12] See the views expressed by Helen Hall, Director of the Henry Street Settlement and Dorothy C. Khan, the eexcutive director of the Philadelphia County Relief Board, as given in *Ibid.*, 32-5. See also the views expressed by the unoffical and informal Citizens' Committee on Unemployment Relief appointed by Mayor Fiorello La Guardia of New York City, in October 1934. The Committee, which consisted of representatives of civic, charitable, medical and labour interests, declared that the city's one million unemployed represented "a fair cross-section of the community" and they "cannot be regarded as maladjusted individuals in need of case work any more than the survivors of an earthquake." As given in Homer Folks, "Whither Bound Relief ? A study of Relief Investigations in New York City in 1935," *Social Service Review* (Chicago), 9 (December 1935) 623. Folks' long article includes, in addition, reports by a private agency, two Governor's Commissions, one municipal body and a federal agency (WPA). Though these reports confined themselves to studying unemployment relief in New York City they revealed the attitudes toward relief and work relief existing in the country at that time and the mistakerness of many accepted notions regarding relief.

[13] Colcord, *Cash Relief*, 26-43.

In the United States, as in Europe, the earliest work-relief programmes were those providing work at ardous tasks like stone-breaking with a view to weed out the " lazy " and confine public aid to the " worthy." Such a work-test was in conformity with the concept of making relief unpalatable and preventing the imprudent and the lazy from resorting to the supposedly " easy " way of living on relief. This approach was discarded in time as the myth of personal incapacity and responsibility for destitution gradually disappeared. As the leaders and the people in general came round to appreciate the operation of the economic forces leading to large scale involuntary unemployment, more modern conceptions of relief became gradually acceptable.

As early as during the depression of 1873-78, work-relief was advocated as a method of caring for the un-employed. While the champions of "laissez faire" denounced the spread of radicalism as " Communist " mischief, opposed governmental aid to the poor, waxed eloquent on the dangers of easy relief, preached doctrines of total freedom and urged no straying away from the real " American foundations of self-government," there were those who espoused the cause of the " unprosperous " and talked a different language. While disclaiming radicalism, one Andrew Van Tuyl, Superintendent of the New York Plaster

Works, offered a typical programme to take care of the unemployed. His plan included besides the adoption of an eight-hour work-day and giving assylum to the hungry and the homeless, a programme of " public works for the idle at lower wages."[14] Though no such action was taken in the 1870's, by the time the United States came out of the 1893-97 depression work-relief emerged as one of the major forms of helping the unemployed. During the crisis such programmes were launched sometimes by private agencies, sometimes by public agencies and more often by the joint action of both. Though some claimed that the American experience with work-relief during the 1890's clearly dispelled all fears that the workers would not strive to find regular employment, there were others who strongly criticized work-relief on the ground that it attracted the industrious as well as the " wanderers " into seeking relief; that the general wage level was threatened if less than normal wages were paid on work-relief, and that if normal wages were paid the relief-seekers tended to stick on to the work-relief projects.[15]

During 1914-15 recession work-relief was provided for the unemployed by setting up what were called " workrooms " or " workshops " in cities like New York and Minneapolis. On the whole American experience with work-relief projects was not very satisfactory.[16] During the 1921-22 recession work-relief projects were not resorted to because the federal government under the leadership of President Harding and Secretary Hoover favoured expansion of regular public construction rather than mere relief-work. In fact work-relief projects were not adopted on a large scale in the United States till 1934 and 1935 when President Roosevelt launched his Emergency Work Program and the Works Progress Administration. Work relief being, by its very definition, a compromise between regular " work " and direct " relief " often combined the evils of both. Consequently it was opposed both by those advocating large scale direct relief with a view to quickly enlarge the purchasing power in the economy and also by those advocating real work programmes so that, while fresh purchasing power was infused into the economy, the workers' sense of dignity could be protected, their skills could be preserved and useful public projects could be accomplished without endangering the general wage level in the country.

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[14] Samuel Rezneck, "Distress, Relief, and Discontent in the United States during the Depression of 1873-78," *Journal of Political Economy* (Chicago), 58 (December 1950) 503 and 508-12.

[15] Feder, *Unemployment Relief*, 336-7; Lescohier and Brandeis, *History of Labor*, III, 166-7.

[16] Looking back on the work-relief experience of New York, Massachusetts, England and Germany, the New York Commission on Emplyer's Liability and other Matters, in its report of 1911, said that "the provision of public work for the sole purpose of caring for the unemployed has almost always proved disastrous. ... all experience seems to show that its administration is fraught with great difficulties and the relief which it affords is paid for in widespread demoralization. *Ibid.*, 169. Subsequent studies also referred to the disappointing nature of work-relief and called it "made work" and " a sugar-coating for relief." See, for example, Joanna C. Corcord, *Emergency Work Relief* (New York, 1932) 12-5.

Undertaking public construction with a view to relieve unemployment dates back in the United States to as early as 1857. During the emergency of 1893-97 many cities provided work-relief as well as employment on public works. However, planning of useful public works in advance and launching their execution as a matter of policy during periods of unusual unemployment was advocated for the first time in 1911 by the New York Commission on Employers' Liability and Other Matters. Viewing the use of public works as a regulator of the labour market, the Commission said that by postponing the undertaking of public works during boom and normal periods to those of decreasing economic activity the volume of unemployment could be reduced during recessions. Furthermore, since the material and supplies needed for construction would be cheap and labour supply abundant during such periods, useful public projects could be accomplished at lesser cost and public money could be saved.[17] During the winter of 1914-15 as many as 91 cities and 21 States reported provision of special work for their unemployed. During 1921-22, the President's Conference on Unemployment strongly advocated large scale local, state and federal public works and extensive repair work in order to increase available employment in the country. A large number of cities and several states enthusiastically endorsed the principle of using public works as a kind of contra-cyclical measure.

Unemployment Insurance

American attitude towards unemployment insurance, inevi tably, progressed along the same lines as the evolution of notions of-responsibility for unemployment. The opposition to insurance legislation in fact, was even greater and persisted longer than that evinced in case of governmental action for unemployment relief. Private plans were organized on a voluntary basis in the United States as early as 1831, though they assumed some significance in the country only after the 1890's. Coverage under the private programmes remained extremely modest and the protection they gave even to the very few that were covered, was intermittent, spotty and thoroughly uncertain.

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[17] New York Commission on Emplyers' Liability and other Matters, Third Report, *Unemployment and Lack of Farm Labor* (Albany, N. Y. 1911) 67-8, as given in Lescohier and Brandeis, *History of Labor*, III, 171.

State action establishing compulsory programmes of unemployment insurance came to be accepted even in Europe only after a persistent and long struggle. But, the State in Europe did not show the reluctance and opposition, which was so characteristic of the United States, to assist and subsidize private plans for unemployment insurance. In fact, as Karl Pribram, observed :

> European development (of social insurance) through half a century or more has been motivated by a growing conviction that the principle of individual economic responsibility fundamental to the functioning of the capitalist order is being modified by some sort of collective responsibility on the part of those who are too weak economically to carry economic responsibility individually and unaided.

In the United States, however, there was a long tradition of hostility to collective action on the part of the workers. The business groups fought labour unionization and collective bargaining with particular ferocity. The vast majority of the workers, as a result, remained unorganized till the second and the third decades of the 20th century. Governmental encouragement, let alone its financial participation, in the trade union out-of work benefit plans—the earliest form of unemployment insurance—was unthinkable in the United States. Nor was the country favourably disposed toward financially assisting any private plans, whether they were organized by the companies themselves or by the joint action of the employers and the workers " on the ground that it might constitute Governmental invasion of the field of private insurance."[18].

The Prevention Approach

With the recurrence of unemployment from time to time and with the absence of any adequate private programmes to meet the situation, the United States was forced in course of time to seek a solution only through governmental action. Passage of the British National Insurance Act in 1911 aroused widespread interest in unemployment insurance in the United States. Beginning with the Massachusetts bill of 1911, the first legislative proposal for unemployment insurance ever introduced in the United States, increasing interest was shown in state legislation in this field. Large-scale unemployment during the post-First World War recession of 1921-22, as will be noted below, revived interest in the unemployment problem in general and, in some states, especially in Wisconsin, in unemployment insurance as well.

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[18] Karl Pribram, "Social Insurance in Europe and Social Security in United States; A Comparative Analysis," *International Labour Review*, (Geneva), 36 (December 1937) 742-9 the quotation is from page 747.

Certain developments in the country during the 1920's gave the movement for unemployment insurance legislation a peculiar turn. Emphasizing *prevention of unemployment through the insurance mechanism*, which was later known as the characteristic American approach, had its origin during this period. Periodic ups and downs in the economy resulting in recurrent spells of unemployment which were till then accepted as inevitable concommitants of the capitalist order, became subjects of great interest and investigation. Research on the underlying causes of business cycles and finding ways of mitigating the peaks and low points was given a big push by the President's Conference on Unemployment.[19] The business optimism and the " Prosperity " of the 1920's gave credibility to the belief that the alternations of brisk activity and stagnation in the economy, the " business cycles, " could be controlled. In this decade of Business Triumphant, nothing seemed impossible to the great tycoons of industry and commerce. It was widely believed that the American business, with its age-old tradition of dynamism and initiative and the newly acquired tools of " scientific management," factory planning and cost accounting could prevent unemployment in the country. A book published in 1925 entitled *Can Business Prevent Unemployment* ?, for example, declared that to " a very large extent unemployment is caused by neglect. It is largely due to the lack of sufficient attention to the problem on the part of management."[20] The answer was employment stabilization—each employer regularizing employment through proper management and avoiding unemployment among his workers. In fact, employment stabilization was only a factor in the grand design which the Era of Prosperity was confidently offering for "preventing or mitigating the alternations of business activity and stangnation."[21]

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[19] A Committee of the President's Conference, called the Committee on Unemployment and Business Cycles submitted its report and recommendations in 1923. This Committee under the Chairmanship of Owen D. Young, Chairman of the General Electric; consisted of Joseph H. Defrees, former President of US Chamber of Commerce; Mary Van Kleeck of the Russell Sage Foundation; Mattew Woll a Vice-President of the AFL; and Clarence M. Wooley, President of the American Radiator Company; Edward Eyre Hunt, Secretary of the President's Conference acted as the Secretary of the Committee. Together with a valuable collection of articles from economists, labour leaders, social workers, businessmen and others the Committee's report was published as President's Conference on Unemplyment, A Committee, *Business Cycles and Unemployment* (New York, 1923).

[20] As quoted by Leo Wolman, "Stabilization or Insurance ?," *Annals*, 165 (January 1933) 20,

Some progressive employers, for example, Henry S. Dennison of the Dennison Manufacturing Company, Farmingham, Masschusetts; Herbert F. Johnson of the S. C. Johnson & Son Company, Racine, Wisconsin; and Gerard Swope and Owen D. Young of the General Electric; and others, spearheaded a movement for employer initiative in unemployment prevention through employment stabilization. They offered employment assurance—a minimum duration of employment and/or earnings—and unemployment compensation plans to their own employees. They pointed out that each employer needed a reserve of labour force for the dynamic operation of his factory—i.e., freedom to increase or decrease his work force depending upon the changes in the demand for his product. It would, therefore, be just, they argued, that each employer pay for the maintenance of the labour reserve he would need.[22] Though these employer moves were motivated by benevolence as well as their confidence that business had the capacity to keep its house in order, they influenced the course of unemployment insurance movement in the country.

Accepting the feasibility of employment stabilization through employer initiative and taking the analogy from the experience of industrial accidents under the workmen's compensation legislation, an energetic group at the University of Wisconsin under the leadership of a young professor of economics, John R. Commons—the chief architect of the Wisconsin movement for unemployment compensation legislation and an authority on labour economics—advanced the idea of unemployment prevention a step further. If a tax was levied on the employers and reductions against that tax were allowed to those who were able to regularize their work force, Commons argued, the businessmen would be induced to stabilize their employment. If all industries regularized their employment, according to Commons, the cumulative effect of their efforts would result in a significant reduction, if not a complete prevention, of unemplyment. He advocated that Wisconsin take the lead in enacting unemployment insurance legislation incorporating the "merit-rating" device-i.e., the method of levying tax on the employers and later allowing reductions against the tax in accordance with the extent of sucess achieved in stabilizing their own work force.[23] This method known as the prevention approach or the Wisconsin School of Unemployment Insurance was an over-simplication and was based on a very narrow economic reasoning.

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[21] President's Conference, *Business Cycles and Unemployment*, 158.

[22] Herbert F. Johnson, "The Ideals of Unemployment Insurance and the Wisconsin Plan," as given in A. B. Forsberg, ed., *Selected Articles on Unemployment Insurance* (New York, 1926) 217-48. This collection of articles is an invaluable source for the opinions of various sections in the country on unemployment. Henry S. Dennison, "Regularization of Industry Against Unemployment," *Annals*, 100 (March 1922) 102-5. Gerard Swope, "Management Cooperation with Workers for Economic Welfare," *Annals*, 154 (March 1931) 131-7. See also *Ibid.*, 138-48 for the views of Henry P. Kendall a Boston Merchant and M. B. Folson of the Eastman Kodak Company, Rochester, New York.

Attitude of the Federal Government

While attempts were being made in several States to pass unemployment insurance laws, the federal government was yet to emerge from the traditional attitude of opposition to compulsory unemployment insurance as a debasing dole tendered by a paternalistic state and as a subsidy to the idle. Though as early as in 1913 United States Commission on Industrial Relations appointed by President Woodrow Wilson recommended study and preparation of plans for insurance against unemployment "in such trades and industries as may seem desirable,"[24] the federal government was opposed to any such new ventures.

The post-First World War depression, it was noted, led to a revival of interest in unemployment insurance. Herbert Hoover, who was then Secretary of Commerce in the Harding Administration, favoured the idea of private insurance companies taking up unemployment insurance. Hoover was, however, emphatically opposed to a government sponsored programme. He was opposed to all direct federal action for the relief of the unemployed, except emergency work-relief, which he regarded necessary, though subject to the compulsions of the balanced budget. Federal legislation in the field of unemployment insurance and federal participation in the financing and administering of direct relief were, in Hoover's view, equally objectionable. That other nations had taken recourse to them did not appeal to him. Addressing the President's Conference on Unemploment in 1921, Secretary Hoover denounced unemployment insurance and such direct doles as or the most vicious of solutions that can be introduced into government."[25] Again, in January 1923, Hoover tried to interest the big insurance companies in unemployment insurance. He suggested that there were certain industries in which employment was not subject to wide fluctuations and spoke of the advantages to the trade as well as the public, if the insurance business established programmes of unemployment insurance. Characterizing governmental sponsorship as socialism, he declared that unemployment insurance "in the hands of the government would bring the disaster of incompetent and vicious encroachment of bureaucracy into the daily life of our people." If on the other hand the private companies undertook unemployment insurance, Secretary Hoover asserted that it was the very antithesis of socialism.[26]

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[23] John R. Commons, "Unemployment Insurance," in Forsberg, *Selected Articles*, 163-9, and also John R. Commons, *Unemployment Insurance: The Road to Prevention* (Chicago, 1932).

[24] *Congressional Digest* (Washington D.C.), 10 (August-September 1931) 194.

The insurance companies, however, did not even wish to experiment with unemployment insurance. With the return of prosperity, the unemployment experience of 1921-22 was quickly forgotten. Outside Wisconsin and a few other states no interest was shown in unemployment insurance legislation. It was only after a year or two following the Stock Market Grash of October 1929 that widespread interest was revived. Even in the face of the phenomenal unemployment of the early 'thirties the traditional attitude of opposition remained strong. Speaking at the dinner of the Indiana Republican Editorial Association of Indianopolis, on 15 June 1931, President Hoover reiterated his opposition to unemployment insurance legislation on philosophical as well as economic grounds.

> We have had one proposal after another which amounts to a dole from the Federal Treasury. The largest is that of unemployment insurance. I have long advocated such insurance as an additional measure of safety against rainy days, but only through private enterprise or through cooperation of industry and labour itself. The moment the government enters into this field it inevitably degenerates into the dole. For nothing can withstand the political pressures which carry governments over this dangerous border. The net results of

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[25] See *Ibid.*, 196, and Lescohier and Brandeis, *History of Labor*, III, 159.

[26] Hoover's address to the Metropoltan Life Insurance Company Managers' Conference in New York on 27 January 1923, as given in Ray Lyman Wilbur and Athur Mastick Hyde *The Hoover Policies* (New York, 1937) 92-3, and also *Memorrs of* Herbert Hoover (3 vols., New York, London 1952 and 1953) II, 102.

> governmental doles are to lower wages towards the bare subsistence level and to endow the slacker.[27]

Attitude of Labour

President Hoover was not alone in his opposition to compu'sory unemployment insurance. Large sections of the population shared his philosophical and economic objections. Oddly enough the American Federation of Labour under the leadership of Samuel Gompers—the exponent of " pure and simple " unionism or " Americanism " in the labour movement—was one of the most vocal opponents of compulsory unemployment insurance. Gompers was one with Hoover in looking upon unemployment insurance legislation as a vicious device for extending governmental domination and control over the workers and as a threat to their freedom. Opposing the creation of a commission to study compulsory social insurance, Gompers said in 1916 :

> I would have them investigate the subject of social insurance of voluntary character and how far it can be established in United States with such aid as the Government can give. I am more concerned, . . . with fundamental principles of human liberty and refusal to surrender rights to governmental agencies than I am with social insurance.

The American Federation of Labour asserted, at its 36th annual convention held in Washington D.C. in 1916, that the agitation for compulsory social insurance was carried on by those " neither responsible to the wage earners nor representative of their desires." The Federation went to the extent of accusing those sponsoring compulsory social insurance of belonging to " that class of society that is very desirous of doing things for the workers and establishing institutions for them that will prevent their doing things for themselves and maintain their own institutions."[28]

Again in 1921 the top leadership of the AFL came out against unemployment insurance legislation. Speaking at the 41st annual convention of the Federation held at Denver, Colorado, in June 1921, Vice-President Matthew Woll insisted that the passage of a national unemployment insurance law would centralize authority in the federal government and destroy state rights. Speaking at the same convention President Gompers said that unemployment insurance was not insurance against unemployment but compensation for lack of employment. The workers should support measures providing for employment of the unemployed. In no country that established an insurance programme, had unemployment decreased "even by an iota." The threat to "personal liberty," which he believed was inherent in unemployment insurance was a more "fundamental" objection to it than was the question of "states rights," Gompers asserted.[29]

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[27] William S. Myers, ed., *The State Papers and Other Public Writings of Herbert Hoover* (2 vols., Ne York, 1934) I, 579. See also *Congressional Digest* 10 (August-September 1931) 196 and Lescohier and Brandeis, *History Labour*, III, 159.

[28] As given in US Senate, 72 Cong., Select Committee to Investigate Unemployment and Relief, Report No. 964, *Unemployment Insurance* (Washington, 1932) 33.

So strong and deep-seated were the AFL's objections in this regard that even in the face of the unprecedented unemployment obtaining in the country following the Crash of October 1929, it continued to oppose unemployment insurance legislation vigorously. Two years later, at its 51st annual convention held at Vancouver, Canada, the AFL reiterated its unequivocal opposition to compulsory unemployment insurance. The Executive Committee presenting its "Plan to meet unemployment" asserted that Freedom of the worker must be the first consideration under all circumstances. The Executive Committee spoke of "employment assurance" as a creative substitute to unemployment insurance. Though the Committee itself pointed out that at least 7 million workers were unemployed that winter (1931-2) and demanded immediate remedial action by the employers as well as the government, its views on unemployment insurance did not change. It said :

> Unemployment insurance subsidizes idleness and turns the nations's resources to unproductive ends ; in the long run it retards real progress. It would be unwise to meet a temporary emergency by a permanent measure which diverts wealth to unproductive ends.[30]

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[29] American Federation of Labour, *Proceedings* of the 41st Annual Convention held at Denver (Washintgton, 1921), 376-8. See also Samuel Gompers, "State Unemployment Insurance," an address before the National Civic Federation on 29 June 1921 and Samuel Compers, "No State Doles for America," *New York Times*, 7 October 1923, both given in Forsberg, *Selected Articles*, 306-10 and 310-1 respectively.

[30] American Federation of Labour, *Proceedings* of the 51st Annual Convention held at Vancouver (Washington, 1931) 78-81. Writing in March, 1931, Vice-President Woll did not even include unemployment isurance in the economic programme he was advocating on behalf of labour. Matthew Woll, "The Economic Policy proposed by American Labor," *Annals*, 154 (March 1931).

During the Vancouver Convention the AFL leaders made much of the practice of British workers carrying a card on which a record of their wages, employment, and cause of unemployment was maintained, of the role given to the employers under the British system, and certain other aspects, and projected the isssue of unemployment insurance before American workers in a very peculiar way. The question was whether the American workers should continue to fight for greater freedom for themselves or whether "liberty shall be sacrificed to obtain a small measure of unemployment relief under government supervision and control." Large segments of the American workers were still to fight for their basic rights of forming unions and bargaining collectively. Under the circumstances giving the employers a right to pass upon the benefit-eligibility of individual workers as was done under the British law, the AFL feared, would only mean a strengthening of the hands of the employers in their right against unionzation, and would be wrought with grave consequences for the labouring class as a whole. Commenting on demands that the AFL should come out in support of compulsory unemployment insurance the Report went on to say :

> In return for a slice of bread—a mass of pottage, as it were—the workers are being asked by the promoters of compulsory unemployment insurance in the United States to yield up their birth right, to practically surrender in their struggle for liberty, by enactment of legislation deliberately calculated to give the employers increased power of control over the workers.[31]

Though the AFL reiterated its traditional opposition to compulsory unemployment insurance in 1931, strong and cogent opposition to the stand taken by the Executive Committee was voiced during the Vancouver Convention by rank and file delegates and by a number of affiliated unions. One of these delegates said that out-of-work insurance was not a " perfect " remedy, " yet it is something." To talk of freedom and independence of the workers was meaningless when millions of them were unemployed, he argued. Any united action by a group of people meant, moreover, sacrificing of the whims and fancies of individual workers for the benefit of the whole. When a trade union adopted a standard of wages, " isn't the individual member denied the privilege of going out and working for less ?," he asked. If some people had to sacrifice some ideals of freedom in Europe to secure the principle of unemployment insurance, he asserted, it did not mean that unemployment insurance was a failure.[32]

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[31] AFL, *Proceedings* of the 51st Annual Convention, 369.

Between October 1931 and November-December 1932, when the AFL met again at its annual convention, the unemployment situation greatly deteriorated. Over 13 million persons or nearly a fourth of the working population was unemployed. There were no visible signs of early recovery and the future seemed very grim indeed. The rank and file movement for compulsory unemployment insurance, as a consequence, grew in strength and its proponents were able to carry the AFL with them at its 52nd annual convention held in Cincinati, Ohio. The AFL at last came out strongly in favour of compulsory unemployment insurance. It held that voluntary action was unsatisfactory and had failed, and that workers could be protected only by governmental action. Though one national law was " preferable ", in view of the difficulties presented by the country's Constitution which made a comprehensive federal law " practically impossible ", the AFL adovocated legislation by the individual states.[33]

Attitude of Industry and Business

As for business and commercial interests the attitude toward unemployment insurance was very anamolous and even paradoxical. Several of their representatives pointed out that management could, by planning and phasing their production over a year, by undertaking plant repair and renovation during dull season and through various other devices, regularize employment in the nation's factories and other business establishments. Several of them even admitted the responsibility of business, on grounds of " humanity " as well as " good business," to avoid unemployment. Periodic spells of widespread unemployment, according to Henry S. Dennison, a Massachusetts business magnate, amounted to a serious indictment upon the American social system and that while the banking and finance groups and the government could help in meeting the situation, the greatest share of the job " belonged to the management."[34]

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[32] *Ibid.*, 385, for the opposition of other rank and file delegates see 371-85. Outside the convention also some labour leaders, for example, Thomas Kennedy, Secretary-Treasurer of the United Mine Workers of America and Sidney Hillman, General President of the Amalgamated Clothing Workers of America, favoured unemployment insurance. See Thomas Kennedy, " How Workers May Obtain Security of Employment," and Sidney Hillman, " A Successful Experiment in Unemployment Insurance," in *Annals*, 154 (March 1931) 92-3 and 104-7 respectively.

[33] AFL, *Proceedings* of the 52nd Annual Convention held at Cincinati, Ohio (Washington, 1932) 41-4. John Lewis and his United Mine Workers played a significant part in reversing the AFL's attitude toward unemployment insurance. See the *Report* of the International Officers of the United Mine Workers of America, incorporated in *Ibid.*, 326-34.

But, when it came to the question of State action establishing a compulsory system of unemployment insurance, very few spokesmen of business interests were forthright enough to admit that industry had till then made no effort of any significance to stabilize employment. Edward A. Filene, a Boston merchant, charged industry with not making a serious enough effort in this regard and rightly pointed out that " less than one per cent of the industrial wage earners were covered by plans of insurance against idleness." Though he himself was for long opposed to governmental compulsion and believed in cooperative action on the part of the employers and employees, Filene said that, in view of the national emergency of unemployment and the "insufficiency" and " inadequacy " of voluntary measures, " I have come to believe that state insurance is inevitable." He only advocated that the state legislation which was inescapable should be so framed as to allow any individual employer " to set up his own insurance plan in his own company with the benefits and reserves equal to the provisions required under the state law."[35]

Employers in general were not as willing to admit their failure to exert themselves in the direction of stabilizing employment, nor were they anxious to admit, as categorically as some did, their responsibility to do so. John A. Emery, General Counsel to the National Association of Manufacturers, asserted that stripped of its "philanthropic drapery" any proposal for compulsory unemployment insurance remained "a shameless dole, masquerading as insurance." The "ultimate effect" of such a policy, he held, would be one of "enervating" the "essential characteristics" of "self-reliance" and individual initiative which were responsible for America's "material and spiritual gains." Emery was emphatic in denying the capacity of employers to regularize employment. The economic forces that determine the rise and fall of demand for goods and services in the society, he held, were beyond the control of individual employers. The employer did not need any penalty to "insite" him; enlightened self-interest compelled each employer to recognise that unemployment was a continuous menace to his own enterprise, as it was to its other victims.[36]

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[34] Dennison, " Regularization of Industry Against Unemployment," 104-5.

[35] *Congressional Digest*, 10 (August-September 1931) 208 and 210.

[36] *Ibid.*, 207, 209 and 211.

John E. Edgerton, President of the National Association of Manufacturers, New York City, maintained a more philosophic and elusive posture. He said that it was only when confronted with adversity that the human character would be inspired to meet the challenge. He admitted that "if those in society who have larger means and opportunities do not recognize their correspondingly larger obligations to help preserve justice and equality of opportunity among all classes of people, the pressure from beneath is going to become ultimately strong enough to compel the employment of unnatural methods" in meeting social problems. Edgerton, however, warned that a distinction must be made between temporary problems and those of a more permanent character. The problem confronting the country at that time, March 1931, Edgerton repeatedly asserted, was one of public education. People should be educated at every turn in the "fundamental principles which govern individual lives and determine their rewards" and taught that "there can be no security of any sort in this life apart from those individual virtues and habits which create it." Economic security, like spiritual security, could not be "conferred," but must be "earned" and "conserved" by the individual. There was certainly a great deal that the government and the employers could do. But, Edgerton argued, there would be "enough" left for the masses of the people to do "if we are to avoid the severities of future economic changes." Noel Sargent, Secretary and Economist for the National Association of Manufacturers, writing in November 1933, argued that new laws of a "permanent" nature should not be written into the statute books to meet emergency situations; and that what the genuinely unemployed destitute needed was relief on an individualized basis and not the kind of "indiscrimiate" aid that was possible under an unemployment insurance programme. Provision of insurance benefits, Sargent further argued, would undermine the morale and efficiency of the workers, and, by increassing the tax burden on the industry, would reduce its capacity to employ people.[37]

There were, it was noted, some employers who explicitly admitted their responsibility to stabilize employment and openly said that the government would be forced to step in if industry failed to solve the problem. But most of even these employers were "confident," in spite of the fact that after over a decade's voluntary efforts less than one per cent of the workers were covered, that industry had "both the will and the capacity to handle the problem through private initiative." They pointed out that employers were conscious "as never before" of their responsibility to keep the workers on the job and wondered whether compulsory legislation was the best way to meet the problem of unemployment.[38]

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[37] John E. Edgerton, "Principles of Economic Security," *Annals*, 154 (March 1931) 73-7, and Noel Sargent, " Do We Need Compulsory Public Unemployment Insurance ? No," *Annals*, 170 (November 1933) 30-9. See also F. H. Clausen, " Unemployment Compensation Fundamentally 'Unsound," and Attacking "Industrial Menace," an article from the *American Contractor* as given in Forsberg, *Selected Aticles*, 262-80 and 326-7.

The financial interests and those in the insurance business also vigorously opposed unemployment insurance. Rome C. Stephenson, President of the American Bankers' Association, in a speech on 21 March 1931, called unemployment insurance merely another name to set up an industrial dole fund "aimed to relieve the indidual in part from a personal risk that can be properly and fully met only by measures of personal financial prudence and responsibility." Stephenson held that if a system of unemployment insurance was established, a dangerous "precedent" would be created whereby, if the victims of any economic disaster were large enough in number to "constitute a political factor" they would be recognized as favoured groups and taken care of by the Federal Treasury. If a such precedent were established, Stephenson asserted, "the economic damage already done by 1930 and '31 is—nothing as compared with the spiritual damage they are yet to do to our national character." Winthrop Waite, an insurance actuary and underwriter of workmen's compensation and liability insurance, argued that huge sums—many times those needed for the workmen's compensation programmes—would be needed to establish a system of unemployment insurance. The contributions that could possibly be raised from the workers and the employers—who were the only parties directly concerned—would be thoroughly inadequate. The state should not contribute to the programme because it did not figure in the picture. Establishment of a financially solvent system of unemployment insurance, therefore, was practically impossible. Furthermore, Stephenson argued, operation of an unemployment insurance programme would confer no direct gains upon employers, and, therefore, they could not be asked to shoulder the burden. Compulsory state action in this regard, he held, would defeat its very purpose by imposing a "legislative ukase on industry."[39] William B. Bailey of the Travellers Insurance Company argued that the American worker was imbued with a spirit of independence and self-reliance. He had the "right" to leave one job and to take up another, and he was prepared to take the risk. Efforts seeking to force "subservience" upon him through devices requiring him to explain his conduct before a tribunal and to have others decide whether a particular job was suitable to him or not, would destroy his "spirit of self-reliance" and undermine his efficiency.[40]

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[38] Leonard P. Fox, "Solution of Unemployment Problem Rests with Industry," *Annals*, 154 (March 1931) 89-91. Magnus W. Alexander, President of the National Industrial Conference Board, held that if both the employer and the worker did their share, society would not have to assume a big role in providing for enemployment. Magnus W. Alexander "Factors that Contribute to Insecurity of Workers," *Ibid*, 55-7.

Attitude of Social Workers, Economists and Others

While the employers and the financial interests were raising the spectre of socialism before the American people and were dubbing unemployment insurance as a debasing dole ; while the insurance business alert to the implications of large-scale compulsory social insurance, was enthusiastically throwing the weight of its acturial science in the service of the former ; and while organized labour was almost mechanically repeating the obsolete shibboleths of freedom and worker's right to leave one job for another, it was left to the social workers, academics and a number of progressive and left-wing groups to fight for unemployment insurance legislation. Though these socially conscious individuals and groups were not in agreement as to the best method of securing an adequate programme, they were almost completely united in their belief in the necessity of compulsory unemployment insurance. They even asserted its inevitability and enthusiastically carried on a vigorous " campaign of education "—an essential precursor to any progressive legislation in a democracy.

The American Association for Labour Legislation—a private organization dedicated to the promotion of progressive labour laws in the country—was the earliest to advocate unemployment insurance in the United States. As early as 1914, the Association published a "Practical Program" entitled *The Prevention of Unemployment.* This programme, a product of two conferences held in 1914, in which trade unionists, economists and government officials from 25 states and 59 cities participated, while not disregarding the need for unemployment insurance to ameliorate the condition of the unemployed and employment offices to facilitate job—finding, urged the tackling of those economic and political factors and practices that led to unemployment.[41]

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[39] For the views of Stephenson and Waite see *Congressional Digest*, 10 (August-September 1931) 211, 219 and 221.

[40] William B. Bailey, " Does Wisconsin Want Unemployment Insurance ? " as given in Forsberg, *Selected Articles*, 314-5. Walter Linn, an insurance broker, Secretary of the Pennsylvania Self-Insurers' Association, in his personal capacity, argued that unemployment insurance was incapable of curing depressions as well as protecting the unemployed. It would only serve socialistic ideals, he warned. Walter Linn, " Social Insurance : Constructive Destruction," *Annals*, 170 (November 1933) 7-17.

Critical of the British unemployment insurance law for its failure to emphasize unemployment prevention, the Association issued in December 1930 an unemployment insurance programme which asserted was best suited to American conditions. Calling it "An American Plan," the Association advocated the establishment of separate unemployment reserves for each industry, the restriction of an industry's responsibility for unemployment benefits to reserves accumulated by it, and the administration of the insurance system by each industry for itself.[42] In its advocacy of unemployment insurance its two most important spokesmen were Leo Wolman of the Amalgamated Clothing Workers of America—an expert on labour economics—and John B. Andrews, the Association's Secretary and the editor of its quarterly organ the *American Labor Legislation Review.*[43]

The Wisconsin movement is of great importance in studying the evolution of the American attitude toward unemployment insurance. Together with the campaign waged by the American Association for Labor Legislation, it was the Wisconsin group-consisting of John R. Commons, Edwin E. Witte, Elizabeth Brandeis, Arthur J. Altmeyer, and others—which was responsible for the importance unemployment prevention was given in the insurance programme that was finally adopted in the United States. This preventive approach was largely a " gift " of the academics and social workers to the country.

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[41] Lescohier and Brandeis, *History of Labor*, III, 131-2.

[42] American Association for Labor Legislation, *An American Plan for Unemployment Reserve Funds* (New York, 1930).

[43] Leo Wolman, "Unemployment Insurance," in President's Conference, *Business Cycles and Unemployment*, 302-41 ; " The Future for unemployment Insurance," in Forsberg, *Selected Articles*, 154-6 ; *Unemployment Insurance for the United States*—an address (New York, 1931) ; and " Stabilization or Insurance." *Annals*, 105 (January 1933) 20-23. John B. Andrews, "Unemployment Reserve Funds : An American Plan to Stablize Jobs and Purchasing Power," *Annals*, 170 (November 1933) 117-23 ; and *Congressional Digest*, 10 (August-September 1931) 206 and 208. See also Mabel L. Walker, associate editor of the *American Labor Legislation Review* (New York), *ibid.*, 216 and 218.

Another forceful advocate of unemployment insurance as a device for unemployment prevention was Paul H. Douglas, an able and young professor of economics at the University of Chicago, who subsequently became a United States Senator. Detailing the salient features of unemployment insurance and indicating the various possible ways in which individual employers could regularize their employment, Professor Douglas strongly criticized the opponents of unemployment insurance. It was ironical, he said, that the comfortable classes, having their own incomes appreciably stabilized by the reserve policies of corporations, should object to the setting aside of similar reserves for labour. He went on to say that

> there is but one feature more ironical, and that is the spectacle of these same people contributing small sums of money and cast-off clothing as charity to the unemployed and at the same time insisting that the latter should be protected from self-respecting insurance.

Douglas also, like the Wisconsin group, maintained that the benefits paid to the workers would sustain their purchasing power and spoke of the " reflex effect " of unemployment insurance in stablizing employment.[44]

Strongly critical of the " narrow " prevention approach of the Wisconsin School and advocating what can be called a regular " insurance " programme, Professor Barbara N. Armstrong of the University of California, Abraham Epstein of the American Association for Social Security and Dr. I. M. Rubinow of Cincinati, Ohio, were among the earliest and most fervent advocates of a broad based social insurance programme in the United States. In their provocative and able books and articles they analyzed the British experience with unemployment insurance and sought to extricate it from the popular American misconceptions of dubbing it a " debasing dole." They insisted that protecting the workers against unemployment, and not seeking to prevent unemployment, should be the chief objective of an unemployment insurance programme. Armstrong, Epstein and Rubinow like most other advocates of unemployment insurance argued, however, that unemployment benefits would greatly help in maintaining the purchasing power in the economy. The insurance system would thereby, they held, act as a check against the recession, if it did not actually initiate a trend toward recovery.[45]

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[44] Paul H. Douglas, " Partial Stabilization of Workers, Income Through Unemployment Insurance," *Annals*, 1404 (March 1931) 74-103. See also among his other articles and books, *Standards of Unemployment Insurance* (Chicago, 1933) ; jointly with Aaran Director, *The Problem of Unemployment* (New York, 1931) ; and " To What Degree Can Business Prevent Unemployment," " *American Labor Legislation Review*, 20 (September 1930) 278-81.

Criticising the " paradoxical " stand taken by the employer groups on the question of unemployment insurance, a noted Harvard economist, Professor Sumner H. Slichter, in his testimony before the Senate Select Committee to Investigate Unemployment Insurance, pointed out that industry needed for its dynamic operation a reserve of labour supply. The cost of maintaining such a labour reserve, Slichter argued, was just as much a part of the cost of production as were the interest payments, wear and tear of the machinery and other factors. To the extent the community rather than the industry was bearing the costs of maintaining the unemployed, he reasoned, the community was virtually subsidizing industry.[46] Roger W. Babson, an economist and publisher, also favoured compulsory unemployment insurance. He argued that the workers who were out-of-work because of the " mistake " of the employers should not be allowed to suffer and, moreover, the employers would take active interest in " flattening out the business cycle " only when they were faced with the possibility of paying out large sums in the form of unemployment insurance benefits.[47]

Jacob Billikopf, Executive Director of Federation of Jewish Charities, Philadelphia, a social worker of long experience, described the grave unemployment situation obtaining in that city in early 1931 and pointed out that conditions in other industrial centres were as bad. Billikopf emphatically asserted that private philanthropy had failed to meet the situation. Insisting that the inadequacies of private philanthrophy were inherent and should not be sought in its size and scale, Billikopf said :—

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[45] Among the numerous writings of these three authors see Barbara N. Armstrong, *Insuring the Essentials* (New York, 1932) ; " Nature and Purpose of Social Insurance," *Annals* 170 (November 1933) 1-6 ; Abraham Epstein, *Insecurity : A Challenge to America* (New York, 1933, 3rd rev. ed. 1938) ; and "Do We Need Compulsory Public Unemployment Insurance ? Yes," *Annals*, 170 (November 1933) 21-9 ; and I. M. Rubinow, *The Quest for Security* (New York, 1934); " Conflict of Public and Privte Interest in the Field of Social Insurance," *Annals*, 154 (March, 1931) 108-16 ; " Stabilization Versus Insurance," *Social Service Review*, 7 (June 1931) 199-213 ; and " Is Unemployment Risk Insurable ? ", *Annals*, 170 (November 1933) 40-52.

[46] US Senate, 72 Cong. 1 Sess., Select Committee on Unemployment Insurance, Hearings, *Unemployment Insurance* (3 pts., Washington, 1931-2) I, 265-7.

[47] *Congressional Digest*, 10 (August-September 1931) 212.

> I know from vast experience that no amount of private charity, on however grandiose a scale it be conceived or executed, can succeed in preventing or even effectively mitigating the ever-spreading demoralization that results from unemployment.

Billkopf declared that industry was helpless before the deep economic forces and that it could not stabilize employment. He strongly recommended unemployment insurance and pictured it as a " dike " of protection for the worker against the flood of unemployment.[48]

Paul Blanshard of the League for Industrial Democracy—an organization of socialists and liberals—pointed out, in March 1931, that the people were facing a problem of grave insecurity and that the seriousness of the situation was not realized by the country. Emphasizing the obvious failure of business and the conservative government to meet the situation, he asserted that nothing less than a greater social control of industry and increased governmental action could lead to a way out. Blanshard advocated a four plank " minimum " programme, which included a system of unemployment insurance with workers, employers and the government contributing to the fund. The objective of such a programme, he insisted, should be only to provide relief to the unemployed and not to solve the problem of unemployment.[49] The People's Lobby—a small group of well-intentioned men, apparently without much influence on the legislation, whose guiding spirit for a long period was Benjamin C. Marsh, its Secretary—advocated an immediate adoption of state unemployment insurance system with federal assistance and urged President Hoover to call an emergency session of Congress and secure the needed federal appropriations.[50] The Socialist Party of America and its standard bearer Norman Thomas—a hereditary Presbitarian minister and a Princeton graduate—vigorously advocated compulsory unemployment insurance. Even in 1928, when the Republican presidential candidate Hoover was running on a platform of Coolidge and Prosperity, the Socialist Party advocated a coordinated programme, which included a system of unemployment insurance, to take care of "the millions of unemployed workers." The 1932 platform reiterated the demand for the socail ownership of certain sections of industry and large-scale labour legislation including a system of unemployment insurance financed by the government and the employers. In his address, in May 1933, to the Continental Congress of Workers and Farmers for Economic Reconstruction—a grand but unsuccessful design of the Socialist Party to bring all the progressive and leftist groups in the country under its banner—Norman Thomas advocated federal maintenance allowance to all unemployed ($10 per week for an unemployed family and $4 per week for single persons) for an initial period of six months. While this "immediate measure" was in operation, Thomas advocated a $6 billion federal public works programme and other measures to pull the country out of the Great Depression.[51]

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[48] Jacob Billikopf, "The Social Duty to the Unemployed," *Annals*, 154 (March 1931) 65-72. For the plea of Rev. R. A. McGowan of the National Catholic Welfare Conference, urging compulsory unemployment insurance see *ibid.*, 42-4.

[49] Paul Blanshard, " A Plea for Social Control and Ownership," *ibid.*, 78-84.

[50] *Congressional Digest*, 10 (August-September 1931) 212.

There were, however, some economists who opposed compulsory unemployment insurance. William A. Scott, Professor of Economics and Finance at the University of Wisconsin, argued that unemployment insurance by giving subsistence "wages" to the worker without asking for any work in return would remove the dread of unemployment, which was an "essential" incentive to labour. Scott held that the British law had pauperized the workers and pointed out that unemployment insurance did not even aim at removal of the causes of unemployment. Unemployment insurance, he said, was a "medicine for a disease already contracted and far advanced, an opiate to deaden the patients' pain, and like all opiates is likely to do more harm than good except in extreme cases." Professor R. S. Merriam of the Harvard Business School, based his opposition to unemployment insurance on "economic" rather than "philosophic" grounds. Merriam insisted that the payroll tax levied on the employers in fact "eventually" rested on the wage earners and that it would not induce the employers to stabilize employment. He disputed the value of unemployment reserves in adding to the purchasing power in the economy during recessions and thereby aiding in maintaining employment. The only answer against unemployment, according to Merriam, must be sought in the deposits and savings laid aside by individual citizens themselves. Presenting an essentially similar economic analysis, Dale Yoder of Iowa State University saw in governmental subsidies to the unemployed, as advocated by the Socialist Party of America and the Conference for Progressive Labor Action (an organization of " independents " and assorted " progressives "), the only answer to the situation facing the country.[52]

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[51] Kirk H. Porter and Donald Bruce Johnson, Comp., *National Party Platforms* 1840-1956 (Urbana, Illinois, 1956) 292 and 352. See also *Minutes and Resolutions of the Continental Congress of Workers and Farmers for Economic Reconstruction* (Washington, 1933) as given in M. S. Venkataramani, "The Continental Congress of Workers and Farmers : The Story of a Socialist Front 1933-34," under preparation for publication.

Thus, the attitude towards unemploynent insurance in the United States in the early, thirties varied all the way from the determined and almost dogmatic opposition of the business and private insurance interests on the one hand, and the fervent plea voiced by the Socialist Party for a federally financed programme. Oddly enough the American Federation of Labor—the largest labour organiztion in the country— was, one with business and industry in its vigorous opposition to unemployment insurance and it did not emerge out of its outdated and prejudiced posture till the end of 1932. The federal government under Hoover was unalterably opposed to any governmental action in the field. The social workers and public welfare officers, who came in intimate contact with the misery of the unemployed in their daily work and the university professors, who were aware of the economic forces at work in the country, were advocating the cause of compulsory unemployment insurance with impassioned devotion and informed dexterity. Franklin D. Roosevelt, the Democratic Governor of New York and future President, was not much ahead of his country in his attitude towards unemployment insurance. He believed, like all Americans in the ' twenties and early ' thirties, in the feasibility of unemployment prevention and the employer responsibility in this regard. Not unlike President Hoover and some of the more progressive employers, Roosevelt was confident that the industrialists would " strive to overcome recurring unemployment in their industries." Though he boldly asserted the inevitability of unemployment insurance in the United States at the Governors Conference in Salt Lake City, Utah, on 1st July 1930, he proposed, in March 1931, the creation of a committee to investigate the subject and did not formally recommend the passage of an insurance law by his state till February 1932. Even then he did

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52. William A. Scott, " The Failure of Unemployment Insurance," in Forsberg, *Selected Articles*, 260-1 ; R. S. Merriam, "Some Theoretical Aspecst of Unemployment Reserves," *American Economic Review*, 23 (March 1933, Sup.) 23-30 ; and Dale Yoder, " Some Economic Implications of Unemployment Insurance," *Quarterly Journal of Economics*, 45 (August 1931) 622-39.

not vigorously fight for its enactment. It was only during the 1932 presidential campaign, after the Democratic Platform committed itself to it, that Roosevelt came out in support of state legislation on unemployment insurance.[53] It was the brutal pressure of the economic forces—the elusive recovery and the continuation of mass unemployment year after year—and the dangerously widespread popularity of the " panacea movements " headed by Long, Coughlin and Townsend that forced Roosevelt and the country to an eventual acceptance of federal social security legislation. It was only in 1934, after the unemployed had passed through five bleak winters, that the Roosevelt Administration finally championed the cause of compulsory unemployment insurance through federal legislation.

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[53] Samuel I. Rosenman, Comp., *Pulic Papers and Addresses of FranklinD. Roosevelt* (13 Vols., New York, 1938, 1941 and 1950) I, 469-73, Bernard Bellush, *Franklin D. Roosevelt as Governor of New York* (New York, 1955) 141-9 ; and James MacGregor Burns, *Roosevelt, the Lion and the Fox* (New York, 1956) 124-5.

THE PĀṬHĀRE PRABHUS

Traditional Origin and History

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THE Pāṭhāre Prabhus are an important section of the Hindu inhabitants of Bombay. They have played a conspicuous part in the early settlement and development of Bombay. They have held offices of trust and responsibility under the Hindu, the Mussalman, the Portuguese and the British rulers.

The Sources

Unfortunately there is a great paucity of material for writing the history of these people. The sources available are both meagre and of questionable authenticity. The sources are mainly literary. A few inscriptions of the Śilāhāra period, however, reveal certain surnames which are found among the Pathare Prabhus.[1]

The Literary Sources

1. *The Sahyādri Khaṇḍa* :—It is a part of the Skanda Purāṇa. It is believed to have been written some time in the 15th century. It traces the origin of the solar and the lunar dynasties of the Pāṭhāre Prabhus[2].

2. *The Bimbākhyāna* : It is by one Laxman Ramchandra Rane, a Pāṭhāre Prabhu. There is a great divergence of opinion regarding the date of this work. Dr. Da Cunha who has accepted the work as authentic gives the year 1139 as the date of its composition[3]. S. M. Nayak takes it to be 1638[4], while R. V. Ranjit fixes the date as 1775[5]. The book gives the story of the migration of the Prabhus to the North Konkan.

3. *The kaustubha Chintāmaṇi* : It is by one Vishṇudasa Nāṃā. S. M. Naya, identifies this author with the great Marathi saint-poet Namdev (A.D. 1270-1350) and gives the date of the composition

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1. *Gazetteer of Bombay City and Island, Vol. II*, pp.13-14.
2. Da Cunha, *Sahyādri-Khaṇḍa*, Chapters 27-33.
3. Da Cunha, *Origin of Bombay*, p. 36.
4. S. M. Nayak, *Paṭṭaṇ Prabhus*, p.66.
5. R. V. Ranjit, *Pāṭhāre Prabhu Udgam and Pragati*, p. 5.

of this work as sometime in the 13th century[6]. The contents of this work clearly show that it must have been written sometime after the 13th century, as it gives an account of the migration of the Prabhus to the Konkan and their subsequent history till the fall of the Hindu state in the Konkan. It must have been written, however, sometime before 1594, because in that year one Caetons De'Souza, a Prabhu convert to Christianity, wrote his *A Historia de Mahim* based on this book[7].

It is interesting to note here that both the *Bimbākhyān* and the *Kaustubha Chintāmaṇi* are two versions of one and the same story.

4. *The Mahikāvatīchi Bakhar* : This has six chapters, of which chapter four is nothing but a copy of the *Kaustubha Chiṅtamāṇi.* Chapter one is based on the *Sahyādri khaṇḍa* and, according to Rajwade, must have been written in the 16th Century. Chapters two, three and six, he places in the 15th century and chpater five which gives a long geneology of the Pāṭhāre Prabhus is placed in the 16th century[8].

Based on the above mentioned works four attempts have been made to write a history of the Pāthāre Prabhus. They are: 1. *Paṭṭaṇ Prabhus* by Shamrao Moroji Nayak (1877), 2. *Pāṭhāre Prabhu Udgam and Pragati* by Ramchandra Vinayak Ranjit (1913), 3. *The History of the Pāṭhāre Prabhus* by Rao Bahadur Dr. P. B. Joshi (1914), 4. *The History of the Pāṭhāre Prabhus* by Vithal Sadanand Vyavaharkar (1919). Two of these viz. Nayak and Joshi rely more or less on the old works while the other two Ranjit and Vyavaharkar have advanced new but fantistic theories about the origin of the Prabhus.

Some information of the Prabhus is also available from the *Gazetteers of the Bombay Presidency Vols.*13 *and* 18 *and the Gazetteer of the Bombay City and Island Vols.* 1 *and* 2.

Besides the sources mentioned above there are a few references to the Prabhus in the *Peshwa Daftar* Vol. 16 and in a few *Ajnāpatras* of Shree Shankaracharya. The Portuguese and the English records also speak about the ' Purvees " who " took service with the Company as clerks[9] "

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[6] S. M. Nayak, *Op. cit.*, p. 64.

[7] Da Cunha, *Op. cit.*, p. 119.

[8] Vishwanath K. Rajwade, *Introduction to Mahikāvatīchī Bakhar*, p.4.

[9] *B. C. I. Gazetteer*, Vol. I, p. 242.

They are designated as Pāṭhāre Prabhus and also as Pātāṇe Prabhus. Of the two designations Pātāṇe has been used by the Gazetteer of the Bombay Presidency[10]. Nayak, the first historian of the Caste calls them Paṭṭaṇ Prabhus. The *Sahyādri Khaṇḍa* possibly the oldest record availabe about the Prabhus, refers to them as Pāthāriya Prabhus[11]. The Bombay City Gazetteer calls them Pāthāre Prabhus[12].

An attempt is made in the following pages to explain the derivation of the designation Pāṭhāre, as well as, Pātāṇe ; and to enumerate the different theories regarding the origin, and early history of the Pāṭhāre Prabhus.

Etymology of Pāṭhāre and Pātāne

There are four different theories regarding the derivation of the word Pāṭhāre.

1. It has been derived from the *Parihārs* of the Puranas or the Imperial Pratihāras of Kanauj and Rajputana. The etymology given is *Pratihār* or *Pratihāri* "*Paḍihār* or *Paṭihār*" *Paṭhāra* or *Paṭhāri*[13].

2. While accepting the above etymology Rajwade believes that the word *Pratihār* stood for a door-keeper or a watchman and not for the Imperial Pratiharas[14].

3. Vyavaharkar argues that it is derived from the word *Paṭhār*, the table land of Central India above the Vindhya Mountains where according to him the Prabhus once ruled. From Prabhus or lords of *Paṭhār* they came to be called Pathare Prabhus[15].

4. Another view says that the word *Pāṭhāre* is a provincial name. The Pāṭhāre Prabhus are originally of Indraprastha near Delhi. The old synonim for a *Prānt* or Province was *AHĀR*. Thus the Prabhus were the people who lived in the *Indraprasthāhār* (i.e. Province of Indraprastha). Eventually of this word the "Indra" was dropped and only "*Prasthāhār*" remained. One

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[10] *Bombay Gazetteer*, Vol. XIII, Part I, pp. 89-108 and Vol. XVIII, Part I, pp. 193-256.

[11] Da Cunha *Sahyādri Khaṇḍa*, p. 120.

[12] *B. C. I. Gazetteer*, Vol. I, pp. 241-247 and Vol. II, pp. 12-16.

[13] Joshi, *History of the Pāṭhāre Prabhus*, pp. 4-11.

[14] Rajwade, *Op. cit.*, p. 55.

[15] Vyavaharkar, *The History of the Pāṭhāre Prabhus*, pp. 7-8.

who lived in the *Prasthāhār* was a *prasthāhārik*. A corruption of the word *prasthāhārik* is *paṭhāriya* and from that we get the word Pāṭhāre[16].

The word Pātāṇe also has been explained in four different ways.

1. Nayak says that it has come from the Sanskrit word *Patan* meaning fall. He relies upon an account given in the 27th Chapter of the *Sahyadri Khaṇḍa* regarding the fall of the Prabhus from royalty[17].

2. Joshi uses the same source but because of mention of the city of *Paiṭhan* (near Aurangabad) in the couplet which refers to the fall of the Prabhus he thinks that from "*Paiṭhan Prabhus*" we got the term Pātāṇe Prabhus '[18]

3. Rajwade derives the term from "*Pratyenes*" mean a policeman.[19]

4. Vyavaharkar believes that "Pātāṇe Prabhus" are so called because at one time they were the Prabhus or Lords of *Paṭṭan* (Somnath Paṭṭan). Thus from "*Paṭṭan-na-Prabhu*" they came to be reckoned as Pātāṇe Prabhus[20].

Origin of the Pāṭhāre Prabhus

1. While giving the meaning of the word *Pātāṇa*, Moleshworth in his dictionary says " the origin is from a Kshtriya male in commerce with his own wife on the second day of menstruation[21]. The theory sounds impossible on the face of it and does not deserve any serious consideration.

2. The *Sahyadri Khaṇḍa* in Chapter 27 gives the following account of the origin of the solar dynasty of the Pāthāre Prabhus.

Mahadeo says to Ganapati "I will now relate to you on the authority of the *Shrutis* the origin of the Pāṭhāriya Prabhus."

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[16] N. M. Phadnis, *Pāṭhāre Prabhūchi Madhyakālina Paramparā*, B.I.S.N. Tritiya Sammelan Vritta, p. 124.

[17] Nayak, *Op. cit.*, p.9.

[18] Joshi, *Uttar Konkanchā Prāchīn Itihāsa*, p. 86.

[19] Rajwade, *Op. cit.*, p. 55.

[20] Vyavaharkar, *Op. cit.*, p. 13.

[21] Moleshwarth, *Marathi-English Dictionary*, p. 158

"First of all God Brahmadeo created sages Kashyap and others. God Surya or Sun is one of the sons of Kashyap. Vaivaswat Manu was the 7th of the 14 sons of Surya, in whose family King Ramchandra, the seventh incarnation of God Vishnu was born in *Tretā Yuga*. In the same family in the *Dwāpār Yuga*, King Ashwapati was born. On Ashwapati ascending his father's throne, and having no male issue for a long time, he with the assistance and advice of all the sages of that time, performed the sacrifice, named, *Putra Kāmeshty* with a view of obtaining his desired object. God Shri Narayan being thus propitiated by means of the sacrifices and oblations, told the King that his desire will be fulfilled, if he followed the religious precepts of sage Bhrigu, and acted up to his advice. The King accordingly entreated Bhrigu to point out to him the means of obtaining the object of his desire."

"The sage thereupon, fearing that the other sages present, as brilliant as the orb of day in knowledge and learning, would feel insulted and curse him, if he did not ask them to join in blessing the King, communicated to them twelve *Mantras*, wherewith to bless the King. By the blessings of these twelve sages Ashwapati had twelve sons", who are the ancestors of the Pathare Prabhus of the solar dynasty.

Chapters 29 and 33 give the origin of the lunar dynasty of the Pathare Prabhus,. "Sage Kashyap had a grandson, *Chandra* (Moon). In his family in the *Dwāpār Yuga*, King Kāmapati was born. He with the advice of all the sages made a horse sacrifice, and a *Putra Kāmeshṭy Yag*, with a view to please God, Shree Narayan, who being propitiated with his devotion uttered seventyeight *Mantras*. The sages who had assembled there repeated the same *Mantras* and gave a blessing to the King, by means of which the King got seventy-eight sons," the anscestors of the Lunar Dynasty of the Pathare Prabhus.

Chapter 28 of the *Sahyadri Khaṇḍa* gives the following story about the fall of the Prabhus from royalty.

"Once upon a time King Ashwapati went on a pilgrimage to Paiṭhan. There he was engaged in giving presents to Brahmins and in the hurry forgot to receive sage Bhrigu who felt insulted and cursed the king as follows :—

"O King, you have become intoxicated with pride of your wealth and royal power and consequently you have forgotten my obligation. For this fault I curse you that you shall be deprived of your royalty and your race shall become extinct."

" The King fell on his knees and entreated the sage to withdraw the curse. Being moved with the entreaty the sage said I cannot altogether withdraw the curse. Your race however will not be extinct but none of your descendants shall ever grasp the sceptre or royalty and they shall support themselves by the art of writing. Their family-name *Pāṭhariya* Prabhu shall be changed into *Paṭṭaṇ* Prabhu."

3. Ranjit traces the descent of the Prabhus from the ancient royalties of Kuru, Pañchāl Kosal, Videha and Kashi. He believes that because they were deprived of the royal power by the rulers of Magadha they came to be called *Patan* (fallen) Prabhus.[22]

4. Vyavaharkar believes them to be the descendants of Kusha the second son of Shree Ram. He says that the descendants of Kusha, the Kusha was settled on *Paṭhār*, the Rajputana table-land. The Kushawas ruled there so long that they came to be called the Lords of *Paṭhār* or Pāṭhāre Prabhus[23].

5. Joshi thinks them to be the descendants of Laxman, the brother of Shree Ram. Because Laxman acted as a "*Pratihāri*" or chaplain of Shree Ram during the exile of the latter his descendants came to be called *Pāṭhāre*[24].

Identity of Rājā Bimba with whom the Pāṭhāre Prabhus Migrated to Bombay in the 13th Century A.D.

There are a number of theories about the place from which they migrated to Bombay. There is also a wide diversion of opinion regarding the identity of Rājā Bimba with whom they came to the Konkan. " Yet with all this conflict of testimony one must in the end accept the fact that a king named Bimba ruled in Salsette in about A.D. 1300, that he made Mahim in Bombay his capital and granted various offices and rent-free lands to his followers[25]. " We also know for certain that these followers of Bimba were Pāṭhāre Prabhus[26]. Let us now see who this Bimb or Bhim was, who seized the North Konkan and made Mahikāwati or Mahim his capital.

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[22] Ranjit, *Op. cit.*, p. 35.

[23] Vyavaharkar, *Op. cit.*, p. 8.

[24] Joshi, *Op. cit.*, p. 10.

[25] *B. C. I. Gazetteer*, Vol. II, p. 16.

[26] Rajwade, *Op. cit.*, p. 52.

1. Nayak tells us that the Prabhus were ruling in the East. Being pressed by the rising tide of the Muslims they came to the South and settled at Paithan, which was ruled over by one Ram Raja. This Ram Raja had three sons Keshav Deo, Bimb Deo and Pratap Deo. In 1288 A.D. one Ahmedshah invaded Paithan and killed Ram Raja. The Pathare Prabhus fled from Paithan with Bimba Deo, the second son of the Raja, and came to Konkan and settled there[27]. All this is pure myth. In the 13th century Paithan was under the rule of the Yadav Kings of Devagiri[28] and there is no proof that it was sacked in 1288 A.D. Saint Dnyneshwar who stayed at Navase not far from Paithan says in the concluding lines of his great work " Dyaneshwari ", which was written in 1290 A.D., that King Ramchandra, the scion of the Yadav dynasty ruled over the land.

2. Rao Bahadur Moroba Kanoba states that the Prabhus came to the Konkan with one Bhāgela (possibly Wāghela) King Bheem of Gujarat[29]. There is no historical proof for this. In fact we find that there was no one by the name Bhim Deo or Bimba Deo in the whole dynasty of the Wāghela, or Bhāgelas.

3. Relying upon Laxman Prabhu's *Bimbākhyān*, Dr. Gerson Da'Cunha says that the Pāṭhāre Prabhus[30] came to Mahim in 1026 A.D. with a Bheem or Bhimdeo, a Chalukya prince of the house of Solankis, who reigned for 42 years from 1022 to 1064 A.D. He further says that " the Solanki Bheem, after the expedition of Mahmud of Gazni to Somnath and his invasion and capture of Anhilawāḍā in 1026 A.D. fled from his country and to make up for the loss in the north marched with his followers from Patan into the South and settled at Mahim. The reason the Prabhus call themselves Pāṭhāre or Pātāne is that they derive their origin from Gujarat Pāṭan and not from the Deccan Paiṭhan.[31]

This story cannot be true, because immediately after the departure of Mahmud, the Solanki Bheem returned to Anhilwada, rebuilt the temple of Somnath and reigned at Anhilwada till his death in 1064 A.D.[32]

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[27] Nayak, *Op. cit.*, p. 48.

[28] Vide Paithan Copper Plate Grant of Ram Deo of Devagiri in ***Ind. Arch.*** Vol. XIV, p. 119.

[29] Moroba Kanoba, *Epitome of the History of Bheem Raja*, p. 16.

[30] Da Cunha, *Origin of Bombay*, p. 36.

[31] *Ibid.*, p. 39.

[32] *Bombay Gazetteer*, Vol. I, Part 1, pp. 169-170.

Again the two Jain chronicles of Gujarat "*Prabandh Chintāmaṇi*" and "*Dvyasrya*" have recorded the most minute details of the reigns of the Chalukya kings of Anhilwada. It is therefore impossible to accept that they omitted to chronicle so important an event like the conquest and colonization of Mahim by the Solañki Bheem and his Pāṭhāre Prabhu followers.[33]

4. Vyavaharkar says that the Prabhus when ousted from the *paṭhār* by the Parmars of Malwa went to the Punjab and established their rule. In the Punjab they had to encounter the Trans-Indian hordes and consequently moved to Gujrat via Sind. They settled first at Muñgi Paṭṭan, but soon shifted to Somnath Paṭṭan or Dev Paṭṭan. They accepted the suzerainty of their stronger neighbours the Anhilwada rulers. After the invasion of Mahmud Gazni the Pathare Prabhus with many other *Kshatriya* families, came to Konkan and settled at Kelve Mahim "under the leadership of Bheem, one of the Anhilwada princes." He further says that Bhimdeo II of Anhilwada who had considerable power at sea[34] might have come to Konkan[35]. There is no record whatever that any king of the Solanki dynasty ever ruled over the north Konkan.

"Again this Bhimdeo II was so weak a man that he earned the sobriquest "Bholo" simpleton. Was thin the man to colonise Mahim and wrest sovereignty from the powerful Silahar rulers like Aparaditya and Kashideo[36]."

Both Da'Cunha and Vyavaharkar have adopted this theory probably because the *Bimbākhyān* and the *Kaustubh Chintāmaṇi* state that Bimb came to Konkan via Gujarat.

N. V. Purandare in his history of the *Shukla Yajurvedi Brahman* tells quite a different tale. According to him Bimb belonged to a *Suryavamshi* dynasty of Udaipur. His family name was Rane, *Gotrā Bhāradwāj*, and family Goddess Prabhavati. In or about the 8th century his ancestors established themselves at Sinhi in Udaipur. Because of the Muslim pressure Bimba's father Ramdeo left Sinhi and came to Paiṭhan to Rājā Vikram Bhoj. Rām Deo had three sons—Keshav, Bimba and Pratāp. Keshav established himself at Anhilwada. In 1288 A.D. Allauddin Khilji invaded Devagiri. Keshav went to the rescue of his father but was defeated and killed. Pratāp who started from Anhilwada met with the same fate. Bimba came as far as Paithan, but finding himsefs no match for Alluddin turned towards the West and founded his kingdom at Mahim.[37] There is absolutely no historical truth in this story. It simply betrays lack of knowledge of medieval Indian history.

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[33] S. M. Edwardes, *Rise of Bombay*, p. 24.
[34] Forbes, *Ras Mala*, pp. 188-189.
[35] Vyavaharkar, *Op. cit.*, p. 37.
[36] S. M. Edwardes, *Op. cit.*, p. 24.

6. The Bombay City Gazetteer tells us that " the inscriptions left by the Silaharas include the names of many of their ministers and officers, some of them have surnames that are now found among the Pathare Prabhus. One may reasonably infer that the period of the Silahar rule witnessed the settlement of both Pathare and Kayastha Prabhus.[38] " Regarding the identity of Bimba, the Gazetteer further says, " he is said to have been a *Suryavamshi Kshtriya* like his followers, the Pāṭhāre Prabhus . . . .A resonably probable supposition seems to be that he was simply a leading member of the Pathare Prabhus Caste, which had held high offices during the Silahar period, and which had ample opportunity of setting up a kingdom of its own in the confusion that followed the Mohamedan invasion of the Deccan.[39] "

As against this theory, however, we have the testimony of Rajwade who says that before Shaka 1215 (A.D. 1293) there was not a single Pāṭāna Prabhu in the north Konkan[40].

7. Bhārat Itihāsa Sanshodhak Maṇḍaḷ, Poona, have got a *Bād* (manuscript) of about 50 pages which, it seems, was copied by one Naranji, a Pathare Prabhu, in 1798 A.D. The Bād has five chapters. The first called *Shree Rām Mahima* deals with the exploits of one Rām Rājā, the father of Rājā Bimba who came to the Konkan in about 1144 A.D. from five Paiṭhans viz. Champaner, Hastinapur, Nāgabāj, Muñgi Paiṭhan and Panhālā. It also mentions Sixtysix families of the Pāṭhāre Prabhus. The second gives a general history of the north Konkan from the advent of Raja Bimba to its conquest by the Muslims. The third speaks of the *Vaitarni Teerth* of Sopara, the fourth mentions eighteen Pathare Prabhu families while the fifth gives the dynasty of Kings from Bimba to the last king who was dethroned and killed by the Muslims. The first and the fourth chapters together mention ninetyfive families of the Pāṭhāre Prabhus including those of King Rām Rājā and his ministers. Of these

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[37] N. V. Purandare, *Shukla Yajurvedi Brahmana*, pp. 23-26.

[38] *B. C. I. Gazetteer*, Vol. II, pp. 13-14.

[39] *Ibid.*, p. 16.

[40] Rajwade, *Op. cit.*, p. 52.

twentyeight came from Paithan, thirteen from Champaner, nine from Nagabaj, seven from Panhala, seven from Cherne, three from Daulatabad and two from Anhilwada. Thus some families came from Maharashtra, some from Rajputana and some from Gujarat.

The Bād shows that the first chapter was written in 1388, the second in 1614, the third in 1306 and the fourth in 1738. It does not say anything about the time of the composition of the fifth chapter, but from its language it seems to have been written after the advent of Muslims in Southern India. The Bād, if reliable, disproves the theory that the Pathare Prabhus migrated to Konkan wholly from Gujarat, or wholly from Rajputana or wholly from Paithan.

It gives a list of seventy family goddesses of the Pāṭhāre Prabhus families. It also gives the names of a number of '*Gotras*' many of which are not found in the present '*Gotras*' of the Pathare Prabhus.

8. In 1294 A.D. Allauddin Khilji invaded Devagiri. Finding it difficult to face the Muslims, Ram Dev, the Yadav King of Devagiri sent his second son Bimba to north Konkan. There came with him nine families of *Yajurvedi* Brahmins of *Madhyandin Shakha*, twentyseven families of *Somvanshis*, twelve of *Suryavanshis*, nine of *Shesh Vanshis*, five of *Panchals*, seven of *Agris*, one of *Dasalad*, one of *Veesalad*, and three of *Modh*[41]. Of the surnames given of 39 *Survanshi* and *Somvanshi Kshatriyas*, twentyfour are the surnames now current among the Pathare Prabhus[42]. The *Mahikavatichi Bakhar* gives the names of fiftyfour Pathare Prabhu Sardars who came with Bimba[43].

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41. *B. C. I. Gazetteer*, Vol. I, p. 144.

42. Purandare, *Op. cit.*, p. 20.

Suryvaṁśi : Rāṇe, Pradhān, Navalkar, Kothāre, Brambāṇḍkar, Dhurandhar, Mānkar, Nāyak, Desāi, Vyavahārkar.

Somvaṁśi : Raṇjit, Goraksha (Gorakshakar) Rāorat (Rao), Jayakar. Dharādhar, Kirtikar, Talpade, Ajiñkya, Dhairyawān Seṅjit, Vijayakar, Trilokekar, Vāzkar, Rāṇe.

43. Rajwade, *Op. cit.*, pp.45-46.

The *Mahikāwatīchī Bakhar* gives the names of twelve chiefs who ruled as independents rulers in the vicinity of Mahim. Forty more persons came to Mahim in 1293 A.D. Of these thirty-one belong to the *Suryavaṁśa* and twelve to *Somavaṁśha*. After the advent of Raja Bimb, they accepted his suzerainty and served under him as his sardars. Of the Surnames given only two viz. Mānkar and Rāṇe are found at present amongst the Pathare-Prabhus. Incidently it may be mentioned that many of them came to Bombay from Paithan and the neighbouring areas. Only a few came from Saurashtra and Dwarka.

Let me now examine the evidence which proves that this Yadav Bimba was the Bimba who came to Mahim in the last decade of the thirteenth century.

1. From a Persian *Firmān* issued by Nawab Chānd Khān, the *Subhā* of the Province of Daman, dated 1495 A.D., we learn that " Bimbashaha, hearing the defeat of his father Ramdev of Devagiri by Allauddin, fled with his *Rāj Guru* Purushottampant Kāwaḷe and eleven Oomraos (all of whom according to Rajwade were Pathare Prabhus). He came to Mahim and divided the country into twelve parts giving the province of Mālāḍ unto Rajguru Kawale[44]. "

2. A Persian patent bearing the Seal of Mahmud Dalil, the Dewan of Sultan Allauddin of Bedar, dated 1436 A.D. shows that " in the Shalivahan Era 1212 (1290 A.D.) Raja Bimbashah, having taken the ownership and possession of the north Konkan from the hands of Karson *kept it for himself*[45].

In 1290 A.D. a Brahmin named Krishna was the Viceroy of Ramdeo of Devagiri in the north Konkan[46]. This Krishna can be identified with the Karson from whom Raja Bimba took possession. Thus Bimba took possession of north Konkan from his father's Viceroy and established himself as king thereof.

3. A *Dānpatra* or grant of the rights of Sardesai and Sardeshpande, made by King Bimba Dev to his Rajguru in the year 1299 A.D.[47] proves that Bimba was ruling at that time.

4. The two inscriptions of 1273 A.D. and 1291 A.D., found near Thana, purporting to be the grants of Anjur and Owale (Thana District) leave little doubt that, that provinence was ruled over by the Yādavas[48].

The above evidence leads to the conclusion that Bimba Dev who came to north Konkan in the last decade of the 13th century was Bimba, the second son of king Ramdeo of Devagiri. With him came his followers or Sardars, the Pathare Prabhus who helped him to found the capital of Mahikavati, modern Mahim, " bringing with them a new polity, much bureacratic skill and some culture, thereto unknown amongst the primitive settlers of the Island[49]."

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[44] S. M. Edwardes, *Op. cit.*, p. 25.

[45] *Ibid.*, p. 26.

N.B.—It may be incidentally noted here that the descendants of this Rāj-guru Kāwale are still at Mālad (a surburb of Bombay).

[46] R. G. Bhandarkar, *Early history of Deccan*, pp. 239.

[47] S. M. Edwarces, *Op. cit.*, p. 26.

[48] K. A. Padhye, *Hemadri*, p. 148.

The Pathare Prabhus must have gone to Devagiri from some parts of north India like Rajputāṇā, Kathiawar etc.[50] Because " their language still contains a considerable admixture of Gujarati, Kāṭhiāwari and even in lesser degree Marwadi words. Their manners and customs show traced of a northern origin, and the so-called Prabhu turban, now falling rapidly in disuetude is found in some parts of Kāṭhiāwar[51]."

Again from the evidence of the Silhar inscriptions and the Bād referred to above, we must accept the possibility of a few Pāṭhāre Prabhu families being in the north Konkan during the Silahar period.

On their arrival in Bombay the Prabhus built a temple of Prabhāvati, their Patron Goddess. The original temple was at a place called Kotwāḍi, where the remains of an ancient fort are still visible and was destroyed by the Portuguese[52]. It was rebuilt after about 200 years. A slab on the South wall of the temple has an inscription in Nagari stating that " Shree Mātā Prabhāvati's temple " was built by the whole Pāṭhāre Prabhu Caste, *Vaishakh Sudh 11 Samwat 1771 Vikram* " (May 3, 1715).

In 1303 A.D. Bimba Dev died and was succeeded by his son Pratap Singh or Pratap Shah. Bimba Dev is also known in history as Bimba Shah. In a Persian record possessed by the family of the late Sardesai of Malad, it is stated that in Shaka 1208 (?) i.e. 1286 A.D. Ramdev Raja with his son Bimbadeo went to pay his respects to Allauddin at Delhi. He was well received and the king takimg Bimbadeo as his own son conferred upon him the title of Shah[53]. This is corroborated by Fleet who says, " Rāmchandra was received there (Delhi) with great marks of favour and distinction and royal dignities were conferred upon him[54]."

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[49] Da Cunha, *Op. cit.*, p. 48.

[50] Enthoven, *Tribes and Castes of Bombay*, p. 249.

[51] *B. C. I. Gazetteer*, Vol. I, p. 241.

[52] Da Cunha, *Op. cit.*, p. 18.

[53] S. M. Edwardes, *Op. cit.*, p. 35.

[54] Fleet, *Kanareese dynastics*, p. 532.

Pratāpdev built another capital city at Maroḷe (near Andheri, a suburb of Bombay) called Pratappur. The name of the city still lives as Parjāpur a deserted village. He reigned for twentyeight years. In 1331 A.D. he was slain and his kingdom was usurped by his brother-in-law Nagardeo the chief of Chewool[55].

After the defeat and death of Pratapdeo his Pāṭhāre Prabhu Sardars lost all political powers and are not heard of for about three centuries more[56].

Nagardeo ruled for 17 years. In 1348 his dominion passed into hands of the Moslem rulers of Gujarat. The Prabhus thus passed under the rule of the Moslems.

Under The Muslims

During the Muslim period, one can hardly find a trace of the caste. Purandare in his history of the *Shukla Yajurvedi Brahmanas* gives an account of two disputes wherein the Prabhus were concerned. The first is called the *Pichodichā Dāwā* between a Pāṭhāre Prabhu on the one hand and the *Shukla Yajurvedi* on the other. The second was between one Trimbak Pandit Chakravartikar who claimed to be the Rājaguru of the Pāṭhāre Prabhus and the *Shukla Yajurvedis* who disputed his claim. This was called *Agra Pujechā Dāwā*[57].

1. *Pichoḍichā Dāwā* (suit concerning the right of *Pichoḍi*)

In the reign of Sultan Allauddin II of Bedar a dispute arose between one Nayako Rao a descendant of Purushottampant Kāwaḷe and Deo Desly Thākur of Mālād, a Pāṭhāre Prabhu Zamindar, about the *Pichoḍi* rights. The suit was first heard by Dewan Mahmud Dalil who sent the parties "in the presence of king highly dignified as Solemon, Sultan Allauddin Gazi, in the Capital of Bedar." Nayako Rao put forward the Sanad granted to his ancestors by Raja Bimba. According to clause 2 of the Sanad "in the month of Ashadh the gift of *Pichoḍi* was given to Rajaguru Kawale". Deo Desle Thakur claimed the right of *Pichoḍi* by adverse possession. The case was decided in favour of the Rajaguru.

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[55] Elliot, *History of India*, Vol. III, p. 200.

[56] S. M. Nayak, *Op. cit.*, pp. 59-60 ; also Rajwade, *Op. cit.*, p. 51.

[57] Purandhare, *Op. cit.*, pp. 21-48.

2. *Agra Pujecha Dāwā* (suit concerning the priority right)

In the beginning of the 16th century Nayako Rao the fourth in descent from Purushottam Pant (?)* went on a pilgrimage to Bhim Sangam. Here his religious ceremonies were conducted by a local priest Trimbak Pant Chakravartikar. By way of gift, Nayako Rao gave to the priest "*Upadeshādān*" and "*Agrapujādān*" of the Pātāṇe Prabhus (i.e. the prerequisites of these two ceremonies). After this Trimbak Pant began to call himself Rajaguru of the Pāṭhāre Prabhus. Wherupon the descendants of Nayako Rao lodged a complaint before Nawab Chand Khan, the Subha of Daman. The Nawab heard both the sides and ordered Chakravartikar not to perform any rites except the two given to him by way of gift.

In 1534 Sultan Bahadur of Gujarat ceded the Island of Bombay to the Portuguese[58].

Under The Portuguese

The Portuguese came to India, to use the historic remark of Vasco-de-Gama, "to seek Christians and spices". "But the Christian was in their eyes of far more importance than the spices." Under the cloak of proselytising zeal they committed all wanton acts of oppression. Soon the Portuguese Viceroy of Goa prohibited all sorts of worship—public and private, throughout the territory of Bessein[59].

Nayak in his book gives us some information about the relations between the Pāṭhare Prabhus and the Portuguese. The Portuguese employed a number of Patane Prabhus in high positions and compelled them, against their will, to exact compulsory service popularly known as '*Veth*' from all people including Brahmins. "Thus arose the enmity between the Prabhus and the Brahmins." A few Prabhus who had the courage to refuse were forcibly converted to Christianity. "After the rise of the Maharashtra Power, a number of Prabhu families fled from Bombay and sought protection under the Maharattas.[60]"

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*The 4th decendant was Abaji, see Padhye, *Antaji Raghunath Kawael*, app/G.

[58] S. M. Edwardes, *Op. cit.*, p. 63.

[59] Nairne, *History of the Konkan*, p. 59.

[60] Nayak, *Op. cit.*, pp. 69-70 ; also Da Cunha, *Op. cit.*, pp. 117-119.

After the conversion of the Prabhus by the Portuguese, Senhor Caeton deSouza, Prabhu convert, wrote a work in Portuguese entitled " A Historia de Mahim " in 1594. No copy of this book is available. Nayak wrote for information to Gabriale Duarte, another Prabhu convert, and a Government pensioner of his Majesty's Dockyard, who replied on 31st March 1876 as under :

Upper Girgaum, Bombay,
31st March, 1876.

Dear Sir,

With reference to your message to me, I have the pleasure to state that, I know illustrious senhores Miguel Dwart and Manvel De Monte who died upwards of forty years ago. They were appointed by Government " *Veradores ad Maharas* " of the Island of Bombay. They had a large collection of useful records and books in the Portuguese language. I know they had a book named " *Mahim's Historia* " in their library. It was in Portuguese language. It gave an account of the voyage of Vasco-de-Gama to the East Indies, and also an account of the reign of Rājā Bimba and the other Prabhu Rājās of Mahim, Salsette etc. who came from the Deccan.

I remain, etc.
Gabriel Dwart.

Under The Marathas

The Pāṭhāre Prabhus also held position of trust and honour under the Maraṭhās.

One Dalpat Rao Pātāṇa was appointed *Mutalik* by one Waghoji Raje Shirke to administer his Jagir of Rayari. In 1636 Shirke rebelled against the Bijapur Government. The Adilshah ordered Chandra Rao More of Jawali to put down Shirke. Shirke was defeated but his vatan of Rayari was given to Dalpat Rao who was made a Sardeshmukh[61]. During the reign of Rajaram the descendants of Waghoji claimed sardeshmukhi for themselves. Rajaram called Dalpat Rao and the Shirkes to Jinji and after hearing the whole case removed Dalpat Rao and gave the rights of Sardeshmukhi of Rayari to the Shirkes.[62]

[61] Parasnis, *Musalmani Amadanitil Marathi Sardar*, p.

[62] Mavji and Parasnis. *Decision from the Shahu and Peshwa Daftar Vatanpatras Nivaḍ patras etc.*, p. 85.

The Prabhus did not lag behind on the battle field. A letter dated 12th December 1737., reporting the siege of Mahim mentions that one Dadaji Prabhu Vasaikar, Pāṭāna Prabhu, and his son were killed in action[63]. The same letter further says "Dadaji was a brave and wise man, words fail to describe his merits. He is killed while serving his master ; it therefore, behoves the master to look after his family." Again a letter dated 3rd March 1738 from Shankaraji Keshav to Chimaji Appa states "Dādaji Anant who was both shrewd and resourceful has been killed in action at Mahim and efforts should be made to fetch his family from Bombay by writing to the English[64]."

During the siege of Bessein one Ganeshji Prabhu Patana fought on the side of the Marathas. He is mentioned as an excpert in the science of siege. For personal bravery in the same campaign an ancestor of the Navalkar family was given a Sanad of two hundred villages and a sword of honour by Chimaji Appa in 1739. His descendants still own Kavilwad and Koste Budruk in Mangoo Colaba District, Bombay[65].

The Controversy about their Kshatriyahood

After the conquest of Bassein by the Marathas, the Pāṭhāre Prabhus who had by now become sick of the Portuguese rule, relinquished their estates in other Portuguese territories and settled down in the provicnce under the Peshwas.

Unfortunately however the communal policy of the Peshwas underwent a great change after the death of the Peshwa, Bajirao I (1720-1740). These Brahmins at Poona picked up a quarrel with the Pāṭhāre Prabhus and challenged their Kshatriyahood. The reason for the discord was, that the Pāṭhāre Prabhus under the Portuguese ruled had exacted compulsory service from the Brahmins.[66]

About 1741, Dhackji, a rich Prabhu, lost his son. The son's widow who was young wanted to marry again. This was the time when there was a tendency to imitate the customs and manners of the Brahmins, the ruling class. Out of a false notion of prestige and honour Dhackji opposed this remarriage. The craze of imitating the Brahmins was so acute that Dhackji succeded in calling a meeting of the members of his Caste to disapprove of such a marriage. The meeting decided to outcaste any member marrying a widow[67]. Subsequently a Prabhu of Chewool named Keshavji Damaji married a widow and was put out of the caste by the Pāṭhāre Prabhus. The dissatisfied Brahmins championed the cause of Keshavji Damaji and lodged the following complaint to Shankaraji Keshav Phadke, the Subha of Bassein.

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[63] Sardesai, *Selections from the Peshwā Daftar, Vol. XVI*, pp. 78-79.

[64] *Ibid.*, p. 96.

[65] Naik, *Sashtichi Bakhar*, p. 49.

The sword of honour was with Rao Saheb Mukundrao Sokarji Navalkar, M.A., Excise Superintendent, Bombay.

[66] Da Cunha, *Op. cit.*, p. 117.

> 1. " That the Prabhus declared Keshavji Damaji as an outcaste, in spite of the fact that the custom of widow remarriage is common in their caste.
>
> 2. That the Prabhus are not the descendants of Rajput Kshatriyas who came along with Raja Bimba Deo.
>
> 3. That the Prabhus requisition any Brahmin for worship at their places. By giving presents to the Rajguru of Khed they get their thread ceremonies and marriage performed according to the Vedic rites. It is a prerogative of the twice born alone, to learn the *mantras* and *Brahma Gayatri*, yet these Prabhus learn them at the hands of the Khedkar Brahmins. The Khedkar Brahmins are obliged to perform these ceremonies for the safety of their lives as the Prabhus are a powerful race."

On receiving this complaint Shakaraji Keshav convened a conference of the Panchyat to which Pathare Prabhus were not invited[68]. On the basis of their opinion he sent his report to the Peshwa at Poona. On the report, Peshwa Balaji Bajirao issued the following order :—

> " To the Brahmans who are the very image of the *Vedas*, the Priests and Astrologers, being clothed with authority in matters of religion, and possessed of knowledge, power and riches, residing in the District of Chowl.
>
> " I, Ballajee Bajeerao, Minister, and your humble servant, being well and prosperous, send greeting, and hope soon to hear of your welfare.

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[67] Moroba Kanoba, *Marriage of Hndu Widows*, p. 28.

[68] Nayak, *Op. cit.*, p. 72.

> " That in as much as the Pathare Prabhus declared Kessowjee to be out of caste because of his having married a widow, he went to Poona for purpose of soliciting a government order in favour which he succeeded in obtaining. Then you sent him to Bassein as there is in that place a large community of Patane Purbhoos, who have observed a custom of the " *Pat* " (marriage of widow) urging upon them that they should take the case of Kessowjee into consideration and admit him to the privileges of the caste ; and that thus the marriage of widows should be practised as in former times.
>
> " Thereupon the above mentioned Kessowjee went to Bassein and represented to the Honourable Shunkrajee Keshow that the remarriage of widows was a custom of long standing but that it has been discontinued within these last forty years, through the influence of Dhackjee Purbhoo. A letter from Pootlajee Sobajee and other influential Purbhoos of Chowl and Ravedundah was also sent to Bassein, acknowledging that the marriage of widows was a long established custom of caste, and that Kessowjee, for marrying a widow, had for eight years past been excluded from caste according to the rule adopted by Dhackjee of Bassein.
>
> " Dhackjee, the uncle of Dadajee Junajee, being a very rich Purbhoo, decided with the approbation of the whole community residing at Bassein, Salsette, and Bombay, that the remarriage of widows should no longer be allowed and that these ceremonies which are performed only by Shudras should be given up.

" The Pulshay Brahmans, however, who had hitherto officiated as Priests, refused to teach them the *Brahma Gayatree*, or to acknowledge them as descended from Kshutriya families. Subsequent to this, they requested the learned Joshi Vishwanath to prepare a work in Sanskrit, stating that they were descended from the Kings of the Solar Lines, which he accordingly did, describing them as descended from the last king of that line, named Ushwaptee, who dwelt at Pythun, and are called " Patane ", in consequence of their descent from him. This work, which is a pure fiction, but prepared with much learning and skill, was produced before the tribunal. After considering this in connection with the statements of the old residents of the place, and consulting the eminently virtuous and learned Brahmins, such as Krishna Joshi of Sungmeshwar, (now of Satara), Laxman Bhatt, Shunker Joshi, Golundker etc., it was decided that Vishwanath Joshi had prepared the aforesaid work on the genealogy of the Purbhoos, and that the priest and Oorun, and certain Brahmins from other places had, from corrupt motives taught the Patane Purbhoos the rites and ceremonies which they were not authorised to perform. It was, therefore, ruled that they should not perform these any longer, but those prescribed for *Shudras*, which their ancestors had performed before them ; that the officiating priest, when performing religious ceremonies in the house of the Purbhoos should make use only of the *mantras* contained in the *Puranas*, and the long established custom of the "*Pāt*" should be continued. The decision was forthwith partly carried into effect, in as much as a dinner was prepared at the house of Babajee Noobajee, where Kessowjee Damajee (who had been expelled from the caste) was allowed to dine with Dadajee Junajee, Sunder Anunt, and the whole of the Patane Purbhoos. Two other cases of expulsion from caste, similar to the above, have occurred. Babajee Purbhoo, a relative of Dhackjee residing at Verar, and another Patane Purbhoo, residing at Santwullee, both married widows, and the rule of Dhackjee Purbhoo was enforced agaist them. But these cases were enquired into and a just decision was secured.

"It is, therefore, requested that you will continue to perform the ceremonies, at the house of the Patane Purbhoos, from the time of marriage onwards to the funeral obsequies, in the same manner as prescribed for *Shudras*. In the district of Bassein, this decision has been enforced and a copy of it with the signatures of all the Patane Purbhoos affixed thereto, has been retained by the Government. Another copy has been forwarded to Ramjee Madhew, Subhedar of Salsette, one to the Patanes of that district, one to the Patanes of Bombay, and one to the Patanes of Chowl.

"As to the Brahmins who performed the ceremonies in the houses of the Patane Purbhoos, they have been punished in accordance with the provisions of the *Shastras*. And not only have they been compelled to undergo the prescribed penances, but they also have signed an agreement that they will not again be guilty of similar offences. The Purbhoos have also been obliged to subscribe a written statement to the effect that they will allow the marriage of widows, and that they will perform the *Shudra* rites as before ; also that any one refusing to comply with this agreement shall be considered guilty of having committed sin at the holy City of Benares ; also that he shall be liable to be punished by the Government, as well as to be expelled from the caste. Thus there are three restrictions against their doing what is improeper. All this is written for your information. The leading members of the Purbhoo community, as Dadajee Junajee and Sunder Anunt, have also written to the Patane Purbhoos of Chowl concerning the decision. A copy of this as well as another letter from Bassein, has been sent to the Honourable Morajee Sindhay of Revdunda, and it is hoped that the Patane Purbhoos of that place will act up to the decision. Let these things be known to all. Forwarded on the 22nd of Rabilakhar Sursan. Arba, What more can be written. Rudhirodgarina Samvatsar Sakey 1665 (June 5, 1743)[69]."

In consequence of the Peshwa's order several Prabhus were killed and many others had to purchase their freedom by paying fines. Whenever any thread or marriage ceremony was to take place at the house of a Prabhu, he was subjected to all kinds of torments. The Prabhus thus suffered for about five years. Ultimately they appealed to Ramaji Mahadev, the Sar-Subhedar of Salsette and requested him to inform the Peshwa of the unbearable torments they had to suffer at the hands of the Peshwa's officer, Moroji Sinde.

On receiving this appeal Ramaji Mahadev instituted an inquiry in the matter and informed the Peshwa of the result of his investigations in the following letter :—

> " . . . . . . In obedience to your order Moraji Sinde commenced to exercise his power over the Prabhus in Chowl and Salsette. This has continued for the last five years. The Prabhus, finding themselves greatly tyranised over and much abused in their religious practices have often presented themselves before your humble servant and asked him to institute due enquiry into their origin, and to do justice to their claims, whereupon being compelled to look closely into the matter your humble servant finds that Rajeshri Shankarjee Keshow

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[69] Moroba Kanoba, *Op. cit* Appendix 'C'.

N.B. :—A copy of this letter in Marathi as well as its English version appeared after more than 100 years in *Dnyānodaya* of 2nd November, 1846. In the same issue the Editor commented upon the letter in the following manner :—

"The claims of the Pātāṇay Prabhus are now universally acknowledged from Benaraes to Rameshwar. Will it then be said that they have bribed the whole of Hindustan ? Such a thing is wholly impossible, since the Pātāṇay Prabhus are very few, while Brahmins are exceedingly numerous as well as obstinate. They never would listen to such a proposal in Bombay alone there are a few Brahmins who depend upon the people of other castes and who bate and revile the Patanay Prabhus. That the the Patanay Prabhus are genuine Kshatriyas may be shown from the *Roodramal* and *the Skandh Puran*."

> Subedar of Bassein who had held an assembly of Brahmins at Bassein, did not hear the Prabhus in their defence, and issued no commission to enquire into their origin by consulting religious authorities. Your humble sevant acordingly, has made the necessary enquiries at Oorun, and having summoned the Prabhus and the Brahmins of Bassein, and having examined them, finds that all this animosity has arisen between the two castes, without any just grounds whatever, from a misunderstanding of the influence the Prabhus have with the Portuguese Government in Bombay. In the times of the late Portuguese Government, Brahmins were, by that Government, made to undergo compulsory labour like coolies,and as the Pathare Prabhus held appointments under it, the Brahmins naturally suspected them of bringing this about. Besides this during the continuance of the Government learned Brahmins were not honoured and allowed to hold and enjoy the just privileges on the occasions of the great Hindu religious festivals. These two things combining have given birth to all the animosity and caused the Brahmins to disturb the Prabhus in their religious privileges termed "*Karma Marga*". But your humble servant on minute enquiry, finds that these Prabhus have been enjoying their religious privileges according to the "*Karmakand* from times immermorial. Moreover their origin that they are descendants of the pure Kshatriyas, can be found clearly in their religious work written by Shree Vyas (*Skandha Puran*). Further His Holiness Shreemat Jagat Guru Shankaracharya Swami has acknowledged them as such by a *Sammatipatra* (1726 A.D.). Your humble servant upon the three grounds mentioned above, has thought it proper to request the Brahmin community to go to the houses of the Prabhus as formerly to perform the religious duties, ceremonies etc. without fear . . . . . . Dated Shake 1670 (1740 A.D.)[70].

When Moroji Shinde learnt that a complaint, that he has been maltreating the Prabhus was submitted to the Peshwa by the Sar-Subedar, he began treating them a little leniently. Yet the Prabhus still suffered from many disabilities.

In 1779 the Prabhus once again obtained a confirmation of their *Kshatriyahood* from *Shree Shankaracharya* Swami of Karwir

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[70] Nayak, *Op. cit.*, pp. 79-82.

Peeth[71] and in 1787 a concurring statement from 39 leading Brahmins of Surat.[72]

Ultimately, when in 1787 the *Shreemat Śankarāchārya* of Shringeri, Shree Virupaksha Vidyashankar Bharati came down to the Bombay City, the Prabhus submitted to His Holiness true copies of (1) *Shree Sahyadri Khand*, (2) Their Genealogical Tables, (3) The History of the Rule of the Prabhus, (4) a statement to the effect that no other *Kshatriya* caste has the name Patane Prabhus, (5) a statement that the High Priest of the Prabhus was known as Rajguru, (6) The *Sammatipatra* from *Shree Śankarāchārya* of Karweer *Peeth*, (7) Opinions of certain learned Brahmins about the origin of the Prabhus, (8) a Copper plate—*Dānpatra* of Raja Bimba Deo. They requested His Holiness to pursue these and give his authoritative opinion as to their origin etc. They further agreed to abide by his decision. His Holiness read all the documents and wrote to the Peshwa the following edict :—

" Be it ordered that the Patane Prabhus have been living in these *Prants* for many years. At their houses from times out of mind, religious cremonies have been performed unopposed by Vedic and Shastric Mantras. But of late their enemies by means of false and untrue reports and information have obtained an order against them from Poona, but none has deemed it prudent to investigate this question and look to the justice of the case. A few Brahmins however after a through enquiry made for their private satisfaction have been convicenced that " the Patana Prabhus have right and justice on their side and that their opponents have accused them falsely." After this the Brahmins within the Peshwa's domain began to perform religious ceremonies at the houses of the Prabhus as formerly. Afterwards another attempt to injure the Prabhus having been made by their opponents. Rajeshri Shankerji Keshow, Subhedar of the *Prant* Vassai called a few Brahmins together, but to this meeting the members of the Patana Prabhu caste were not invited nor was any inquiry made into their origin or past history, but on the complaint of their opponents, letters were written ex-parte to the Brahmins of Bombay and Mahim informing them " that they should not go to the houses of the Prabhus to perform the religious ceremonies." Soon after this Rajeshri Ramajee Mahadeo, Subhedar of the *Prant* Sashti held an independent inquiry at Oorun. After a searching inquiry he was satisfied that all the accusations made against the Prabhus were false. He therefore ordered the Brahmins " to go to the houses of Prabhus and perform religious ceremonies as formerly without any fear whatever." In obedience to this order, the Brahmins of Vasai and Shashti districts as well as those of Bombay and other places began to act as before.

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[71] *Ibid.*, pp. 15-18.

[72] *Ibid.*, pp. 18-21.

" A few years after this the opponents of the Prabhus proceeded to the City of Poona and then having given false information to the Authorities and having falsely accused the Prabhus before the Peshwa, succeeded in obtaining on this false information an order from Shree Vedmurti Sakal Shastra Sampanna Rajmanya Rajeshri Ram Shastri, (Chief Justice of Poona) addressed to all the Maharashtra Brahmins of Bombay and Mahim and other places to the effect that "the Brahmins who go to the houses of the Prabhus for the performance of the religious and other ceremonies acted against the rules and ordinances of their caste etc." This caused considerable annoyance to the Prabhus because the Poona authorities without a thorough inquiry into the matter, and without looking to the Shastra merely on the ex-parte complaint of the enemies of the caste, made and issued strange orders against them. It seems the opponents wished to take advantage of the utter helplessness of the Prabhu who followed the profession of clerks and servants of the Government against their mighty Brahmin rulers of Poona. The Prabhus having thus suffered persecution requested me (Shankercharya) " to institute a through enquiry into the matter of that origin and to decide and other what would be deemed proper by me in the circumstances of their case." I thereupon read the history of their origin as given in detail in the *Sahyadri Khaṇḍa* and carefully examined their old genealogical tables given by them in evidence before me. I also paid special attention to their manners and customs and the name of the caste which is well known in all districts from ancient times. I have not heard of any other caste bearing the name Patana Prabhu. The Brahmin High Priest of their caste is popularly and publicly known as a Rajguru (Priset of the Kings) a title which is not enjoyed by the Brahmin High Priests of any other caste who are simply called Guru or Gur Gosavi. I hve also read the written decision of His Holiness *Shrre-mat Śankarachāruya* Swami of *Kshetra* Karweer (Kolhapur) bearing his genuine seal. I have also read attentively the opinions of the most learned and able Brahmin Pandits, in this matter. I have also carefully examined the *Tamrapatra* or Copperplates of ancient times and those of the times of Raja Bimba presented to me during the investigation of this matter.

"Judging from all these I am perfectly satisfied and therefore order that "those Patana Prabhus are the genuine *Surya* and *Somvañshi Kshatriyas* and that the false accusations preferred against them have all been the result of animosity and the haughtness and unbounded pride of the Brahmin rule. All Brahmins therefore should in future go to the houses of the Prabhus without any fear and perform religious ceremonies as before." Dated Samwat 1843, Shake 1709 (A.D. 1787)[73].

On the same day on which the above *Ājñapatra* was given by His Holiness the *Śankarāchārya*, 16 Brahmins of Bombay issued an independent *Sammatipatra* agreeing with the *Ajnaptra* of His Holiness[74].

End of the Controversy

Shree Ved Shastra Sampanna Ghansham Shastri Jadye went personally to Poona with the edict referred to above and with all the relevant records. *Peshwa* Madhawrao II read the edict of His Holiness and dismissed the plea of the opponents of the Prabhus and asked the *Shastri* that as enjoined by His Holiness they could perform all the religious functions of the Prabhus as before, unrestricted.

Not approving of this decision, Nana Fadnis called Ghanasham Shastri and Ram Shastri the Chief Justice of Poona at his residence. On their arrival he inquired of Ram Shastri whether the action of the Peshwa was right. Ram Shastri assured him that the Prabhus led a life befitting the *Kshatriyas* and their habits and acts were in no way detrimental to the Brahmins. Again in the face of the decision of His Holiness, in regard to religious matters, no other order could be of any value. Thus Ghanasham Shastri returned to Bombay successful saying "*Samasta Visha Nirvisha*", (all the poison removed). The Prabhu community was elated and exclaimed "*Anandachi Goodi Gheuni Ale*", (He came with the banner of delight).

It has been very difficult to disentangle the origin of the Pathare Prabhus from sources which are more literary than historical. The migration of the Pathare Prabhus to north Konkan with Raja Bimba, however, can be maintained with suffiicnet quantum of evidence. The progress of the Pathare Prabhus, punctuated with setbacks, is easily seen from undisputed sources. It was under the rule of the Peshwas that the Pathare Prabhus had to stage a very grim and grueling fight to preserve their social status. Backed by the machinations of some few Brahmins, piqued by the power and the authority that the Pāṭhāre Prabhus enjoyed under the Portuguese Government, the Peshwas by their firman had relegated the Caste to the lowest place in the social hierarchy. It speaks indeed very highly of the tenacity and courage and equally of intelligence of the then members of the caste to have reversed this decision in the teeth of opposition and to have restored their caste to its rightful status in the social structure of the Hindu comity.

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[73] *Ibid.*, pp. 89-93.

[74] This *Sammatipatra* was registered on the 16th of February, 1788 in the Town Hall of Bombay. It bears the signature P. S. Master, Registrar.

N.B. :—The originals and true copies of the letters and edicts mentioned above were in the possession of a few Prabhu families and were seen by Shamrao Moroji Nayak when he wrote his book (1877). However neither of them are now traceable.

REACTION OF THE MINORITIES TO SOME OF THEIR MAJOR PROBLEMS

By Usha Mehta

"MAN for man, minorities would be as fully represented as the majority. Unless they are, there is not equal government but a government of inequality and privelege."

—*J. S. Mill*

Suppression or subjection of an individual or a group is a sign of intolerance and a denial of democracy. The greater the freedom enjoyed by individuals and different centres of power including minorities, the healthier the democracy, for the essence of democracy lies in the distribution or diffusion of power. Such distribution of power can be on the basis either of community-groups or of interest-groups. Religion, language, tribe and caste are some of the main bases on which groups are formed in India. Muslims, Christians, and Parsis who respectively form 12, 2, and 1 per cent of the total population of India, had given overwhelming support to the Congress in the first general elections in 1952. There was however, a marked shift in their voting in the second and the third general elections.

With a view to study their reaction to some major issues like special representation for the minorities, secularism, cow-slaughter and the representation given to them by different political parties, 690 persons including 360 Muslmims, 208 Christians and 122 Parsis from six Assembly constituencies—Byculla, Nagpada, Mazagaon, Sewri, Parel and Walkeshwar—in Bombay were interviewed. Two of these would not reply to the Questionnaire ; hence the total number of respondents was 688.

Special Representation

It was in 1906 that some Muslim leaders asked for special representation. Their demand was granted. They were given separate electorates, reserved seats and special privileges. The Government of India Act 1935, provided for reserved seats for almost all the religious minorities including Muslims, Christians, Sikhs, Anglo-Indians and the Scheduled castes. The Muslims whose population was less than one-fourth of the total population were given one third of the total seats on the plea that it was one of the ways of safeguarding the interest of the minorities. So far as the Parsi community is concerned, a plea for separate electorates was made at the Round Table Conference. The move, however, was opposed by some of the more enlightened among them led by B.F. Bharucha who held that they constituted an integral part of the Indian community and hence did not need separate electorates to protect their interests. By agreeing to be registered as voters in the general electorate they almost became path-finders for other religious minorities in the country.

In reply to a question on this important issue, 404 out of whom 207 were Muslims, 129 Christians and 67 Parsis said they favoured special representation as against 216 including 105 Muslims, 63 Christians and 48 Parsis who said they did not. 68 said they did not know and 1 did not reply. It is significant that both among the Muslims and the Christians, the number of those favouring special representation is almost double that of those opposing it. Even among the Parsis those favouring it were more as compared to those who were opposed to it. Amongst the 404 favouring special representation were included 33 Graduates and double-graduates, 128 of those who had received education till the primary level and 74 illiterates. Out of the 16 from among these 404 who had party-affiliations, 11 belonged to the Congress, 2 to the P.S.P. and 2 to the S.S.P. Those who did not favour special representation included 6 Congressmen and 2 members of the C.P.I. thus proving that neither education, nor party affiliation, made much difference so far as the reaction of the respondents was concerned. The reasons given by those who favoured special representation were that the members of the miniority communities are in a better position to give expression to their special needs, that they know their special disabilities better than the majority-community and that they have their own distinct personal law which requires to be safeguarded. As against this, the reasons given by those who were opposed to it were that the problems of the minorities were the same as those faced by the majority-community and hence did not require any special handling, it was a device that led to the partition of the country, minorities formed an integral part of the Indian Community and that it leads to disruptive tendencies.

Secular State

Partition of the country was the price India paid for her freedom. She, however, never subscribed to the two-nation theory. In keeping with her secular outlook, it has been specially laid down in Article 15 of the Constitution that no citizen shall be discriminated against on grounds only of religion or race or caste or sex or place of birth.

In response to a question "Do you favour a secular state?" an overwhelming majority—645 i.e. 93·7 per cent among whom were 338 Muslims, 195 Christians and 111 Parsis replied in the affirmative as against only 20 including 4 Muslims, 9 Christians, and 7 Parsis who gave a negative reply. 23 said they did not know, 1 did not reply. It may be noted that three among the 20 who did not favour a secular state were highly educated persons but none belonged to any political party.

The reasons given for favouring a Secular State were that it leads to social justice, protects all religions equally, is in keeping with India's traditions and that a non-secular state is likely to lead to Hindu domination. The fact that some of them gave this reason is indicative of their fear of the majority community. Out of the 20 who were against a secular state, 15 were of the opinion that a secular state should not be favoured because the states in our neighbouring countries are non-secular and 4 held that a secular state is non-moral.

608 including 315 Muslims, 186 Christians and 106 Parsis said they believed that India is a secular state as against 42 including 18 Muslims, 15 Christians and one Parsi who said they did not. Among these was one Congressman.

Cow-Slaughter

Cow-Slaughter was an issue which had generated fiery passions. The manifesto of the Bharatiya Jan Sangh was unequivocal on this issue. "The cow is our national point of honour. It is also the basis of India's agriculture. Bharatiya Jana Sangh will amend the Constitution and impose a legal ban on the slaughter of the cow and its progeny."

154 interviewees including 95 Muslims, 33 Christians and 26 Parsis favoured a ban on it. Against this there were 189 Muslims, 153 Christians and 84 Parsis were opposed to such a ban. Amongst these were 12 Congressmen, 1 member each of the P.S.P. and the C.P.I. and 2 members of the S.S.P. It is significant that about 22 per cent of the total interviewees favoured a ban on cow-slaughter. 55 said they supported the anti-cow-slaughter agitation, and 96 had sympathy with it. 319 were positively opposed to it and 6 confessed being hostile to it.

An important question engaging the attention of both the majority and the minority-communities is that of a uniform civil code provided for by the Constitution in Article 44. 405 including 164 Muslims, 163 Christians and 78 Parsis, i.e., as many as 58·8 per cent of the interviewees favoured it as against 193 who did not. Amongst those who did not want a uniform code the majority was that of Muslims, their number being 125 as against 32 Christians and 35 Parsis. It is worth-noting that there were 7 Congressmen and one member of the S.S.P. amongst these 193.

The status of Kashmir being a question that is very vital for India, an attempt was made to probe the minds of the members of the minority-communities regarding it, by asking them whether they believed that Kashmir is an integral part of India or not. 533—265 Muslims, 183 Christians and 84 Parsis i.e., about 77 per cent said it was, as against only 32 including 14 Muslims, 6 Christians and 12 Parsis who said it was not. Amongst these were 2 graduates and 1 Congressman.

Community Representation

The Congress has declared time and again that all minorities must be treated justly-even generously. The Working Committee gave a general directive that the minorities should get a proportionate—in any case, 15 per cent of the nominations for the Parliament and the state assemblies. The opposition parties dispute this claim of the Congress and vie with each other in proclaiming concern for and sympathy with the minorities.

With a view to find out what the minorities felt about the claim of different parties, the respondents were asked whether they were given adequate representation by the political parties. 368 including 219 Muslims, 93 Christians and 55 Parsis were of the opinion that they were given adequate representation by the Congress as against 162—58 Muslims, 63 Christians and 41 Parsis who held a contrary opinion. So far as the opposition parties were concerned, the position was just the reverse in as much as 354 amongst whom were 191 Muslims, 116 Christians and 46 Parsis said the opposition parties did not give them adequate representation as against 106—44 Muslims, 25 Christians, 37 Parsis who thought otherwise. Thus, by and large, all the minorities felt that they get better representation in the Congress than in the other parties. At the same time, the Muslims seemed to be more favourable to the Congresss whereas the Christians and the Parsis seemed to have a grievance against the Congress as well as the opposition parties.

To the question whether their community was adequately represented in the Legislature, 264—158 Muslims, 57 Christians, and 48 Parsis replied in the affirmative and 214 including 91 Muslims, 85 Christians, and 38 Parsis in the negative. Thus, so far as representation to their Community is concerned opinion seemed to be almost equally divided. The Christians however seemed to be more dissatisfied than the Muslims and the Parsis.

Conclusions

(*i*) A majority in each community 57 per cent among the Muslims, 62 among the Christians and 54·9 among the Parsis favoured special representation for the minorities in the Legislatures. It included both illiterates as well as those highly educated.

(*ii*) The C.P.I. was the only political party whose members positively opined against special representation for the minorities.

(*iii*) An overwhelming majority from all the communities favoured a secular state and believed that India is a secular state.

(*iv*) About 62 per cent of the total respondents did not favour a ban on cow-slaughter and most of them were opposed to the anti-cow-slaughter agitation. It may however be noted that 22 per cent of the voters did favour such a ban.

(*v*) More than half of the total respondents—58·8 per cent were in favour of having a uniform civil code. Amongst those who opposed it, there was a majority of Muslims.

(*vi*) A large majority about 77 per cent of the interviewees believed that Kashmir is an integral part of India as against 4 per cent who did not agree with the view.

(*vii*) Most of the respondents were of the view that they got a better deal at the hands of the Congress as compared to the opposition parties in the matter of representation to their community.

(*viii*) Opinion was sharply divided so far as adequacy of representation to their community in the legislatures was concerned.

Perhaps, all political parties would do well to be vigilant regarding the feelings of the minorities on this question and keep their representation in the party as well as the Parliament, the State Assembly and local bodies under constant review.

LOKPAL AND LOKAYUKTA : THE INDIAN OMBUDSMEN

S. P. SATHE*

I

Introduction

MODERN government is complex and pervasive. It impinges on the rights and interests of private citizens at numerous points. It enjoys a large amount of discretionary power, which if wrongly used, can imperil the life, liberty and property of the individual. It has always been the function of administrative law to provide control mechanisms for ensuring the proper exercise of power by the administration. Such control mechanisms have to match the ever-growing complexities of the administration. Where existing control mechanisms prove inadequate, new ones have to evolve in response to the need to ensure administrative justice. The " Ombudsman " is the latest of such control mechanisms which administrative law is seeking to operate. It originated in Sweeden in 1809, was adopted in Finland in 1919 and Denmark in 1955 and spread to New Zealand in 1962 and the United Kingdom in 1964. The related institutions in some or other form exist in countries such as West Germany, the Phillipines, Yugoslavia, Poland, the Soviet Union and Japan. It is now being widely discussed and seriously contemplated for countries of diverse constitutional patterns such as Canada, Ireland, Holland and the United States.[1]

The Ombudsman is an officer of Parliament who investigates complaints from citizens, against government departments, that they have been unfairly dealt with and if he finds that the complaint is justified, helps to obtain a remedy. He has usually a high status —that of a Judge of the highest court and can investigate acts involving corruption and maladministration by government officials, sometimes including Ministers. The Ombudsman system is highly flexible. This is demonostrated by its successful adaptation in four Scandinavian countries which have significant governmental and legal differences and in New Zealand and the United Kingdom which have an entirely different constitutional system. The

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[1] For an up to date account of the experience of other countries, see Ronald C. Rowat (ed) The Ombudsman : Citizen's Defender (1966) and Gellhorn (ed) Ombudsman and others : Citizens protectors in Nine Countries (1967).

Ombudsman of each country has been designed to suit the local needs and conditions. Hence there are differences in them with respect to jurisdiction as well as functions. For example, the Swedish and Finish Ombudsmen have jurisdiction over the judiciary. The Ombudsman in New Zealand, Denmark and Norway have no authority over the judiciary. The Swedish Ombudsman has no jurisdiction over the Ministers. His function is generally to supervise how judges, government officials and other civil servants observe the laws and to prosecute those who have acted illegally or neglected their duties. The Danish Ombudsman has authority over the Ministers as well as the judges. The Norwegian Ombudsman has authority to scrutinise the acts of the Ministers which they perform as heads of a Ministry. The Finish Ombudsman not only has jurisdiction over the Cabinet Ministers but has authority to prosecute them. Informality is the most significant aspect of the Ombudsman proceedings. The Ombudsman may act either on his own initiative or upon a complaint from an aggrieved party or an allegation from any person. The only exception to this rule is that of the Parliamentary Commissioner in England. The Parliamentary Commissioner (as the Ombudsman is called in England and New Zealand) does not act except upon a complaint which is made by a member of Parliament on behalf of a person of his constituency. This departure from the traditional Ombudsman pattern was motivated by a desire to accommodate the Ombudsman within the framework of the parliamentary form of government. The Ombudsman can refuse to investigate if he finds that the complaint is frivolous. However he may give reasons for such refusal. If he decides to investigate, he may send the complaint with the grounds thereof to the official concerned and seek his clarification or explanation thereupon. Upon considering such clarification or explanation, if he finds that the complaint is justified, he may advise the official concerned to change the decision. In many cases such persuasion is fruitful. However, if the official does not comply with the Ombudsman's directions, the latter may make a report to Parliament and suggest what action may be taken against the official concerned. The Ombudsman has access to all files and documents. He has powers of a civil court in matters such as summoning witnesses, taking evidence etc.

In India, the problem of corruption and maladministration is threatening to assume dangerous proportions. Serious thinking on how to eradicate it or at least how to keep it down to its minimum (this is more modest an objective) has been going on in recent years.[2] The Administrative Reforms Commission, which was appointed in 1966[3] while dealing with one of its terms of reference, namely, "to consider the problems of citizen's grievances," unanimously recommended that the Ombudsman type of machinery be set up in India.[4] The Commission recommended two categories of Ombudsman for India—a Lokpal to investigate the actions of Ministers and Secretaries and one or more Lokayuktas to investigate the actions of officials below the rank of Secretaries. The recommendations of the Commission have been accepted by the Government and a Bill providing for Ombudsman in India was introduced in (the lower House of Parliament) the Lok Sabha in May 1968.[5] It was passed in Augsut, 1969.

When India joins the international Ombudsman family, the device of Ombudsman is going to be put to a most rigorous test. India, with her large population, vast size and developing economy is an ideal laboratory for testing how far the wings of the Ombudsman can stretch. India however, is not the first developing country to have an Ombudsman. Guiana has already set up such an institution and Tanzania has it in another form.[6] However the Indian experiment will be watched with great interest all over the world because its success or failure will make a significant impact on other developing democratic societies. Corruption or maladministration has always posed a threat to democratic governments. It has always been a very convenient ground for discrediting the democratic governments and a good excuse for the dictators to step in. The success of the Indian Ombudsman will doubtless strengthen

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2. See A. D. Gorwalla, Report on Public Administration (1951) ; John B. Monteriro, Comment (1965) Public Law, 81 and Coruption ; Control of Maladministration pp. 241-49 (Manaktalas 1966) ; P. B. Gajendragadkar, Role of Administration in a Democratic Welfare State, 9 Indian Journal of Public Administration 592, 603 (1963) and R. N. Mathur, Need for an Indian Ombudsman for Successful Planning, 24 Indian Journal of Political Science 347, 354 (1963).

3. The Commission was appointed on Jan. 5, 1966 by the President by Government of India Notification No. 40/3/65-AR(P) and besides the Chairman Mr. Morarji Desai, had Messrs K. Hanumanthaiya (who is now the Chairman) Debrata Mookherjee, Harish Chandra Mathur, H. V. Kamath and V. Shankar) as its members.

4. Administrative Reforms Commission, Govt. of India, Interim Report on Problems of Citizen's Grievances (1966) Hereinafter cited as Interim Report.

5. Bill No. 51 of 1968. The Lokpal and Lokayuktas Bill, 1968. This Bill was introduced by the Hon'ble Shri Y. B. Chavan, Minister for Home Affairs on the 9th May, 1968.

6. See Hing Yong Cheng, The Emergence and Spread of the Ombudsman Institution, 377. The Annals of the American Academy of Political and Social Science, p. 20 (1968 May).

the claim of democracy in the developing world. The purpose of this paper is to examine the provisions of the proposed Lokpal Bill with a view to pointing out the possible pitfalls in its implementation and suggesting how they could be overcome. Although foreign experience provides the wider perspective which such a study must possess, the assessment and possible evaluation of the role of the Indian Ombudsman will be made against the setting of the local social, economic and political conditions.

II

Significant Constitutions Questions

The Lokpal Bill contemplates the appointment of the Lokpal to investigate any action which is taken by, or with the general or special approval of a Minister or a Secretary[7] and a Lokayukta, (one or more), to investigate any action taken by or with the general or special approval of an official lower in rank than that of a Secretary.[8] A Minister means a person who is a member of the Council of Ministers of the Union Government and includes a Deputy Minister.[9] An officer is a person appointed to a public service or post in connection with the affairs of the Union.[10] The Ministers and officials of the Union territories as defined in the Government of Union Territories Act, 1963, have also been included within the purview of the Lokpal or a Lokayukta appointed under this Act [11]

The power of the Lokpal to investigate acts of the Minister may give rise to significant constitutional problems. Such power may conflict with the constitutional principle of ministerial responsibility. A Minister is individually responsible to the President[12] and the entire Council of Ministers is collectively responsible to Parliament [13] The collective responsibility is regarding the policy. Such responsibility must be enforced through parliamentary processes alone. The Constitution forbids any court to inquire as to what advice the Council of Ministers had given to the President.[14] The motivation or merits of policy cannot be scrutinised by any other authority except Parliament. Obviously the

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[7] Section 7(1) of the Lokpal Bill et. seq.

[8] S. 7(2).

[9] S. 2(h)

[10] S. 2(i)

[11] S. 2(k)(iii)

[12] Art. 75 (2).

[13] Art. 75 (3).

[14] Art. 74 (2).

Lokpal should not have such authority. He will investigate acts relating to administration in which the Minister is directly responsible. However, the line dividing matters of policy from matters of administration is thin and difficult to observe. Neither in New Zealand nor in the U.K. the Parliamentary Commissioner (Ombudsman) exercises supervisory authority over the Ministers. In New Zealand, the Parliamentary Commissioner's jurisdiction extends to recommendations made to a Minister of the Crown by the department but it does not extend to any orders or recommendations made or opinions expressed or advice given by the Minister. It is a fact that inspite of this the New Zealand Parliamentary Commissioner has not infrequently made inroads into the acts of the Minister.[15] However his criticism of the Ministers is indirect. In the U. K. the Parliamentary Commissioner has no jurisdiction to report on the decision taken or advice given by a Minister. The Indian model in giving power to the Lokpal to investigate acts of the Minister doubtless makes a radical departure from the Ombudsman model of the other Commonwealth countries.

There may be some justification for giving to the Lokpal the power to investigate the acts of Ministers in view of the widespread suspicision about the integrity of the politicians in general. Perpetuation of such image would ultimately cause erosion of the democratic process. The Lokpal may expose the guilty in a few cases but would also exonerate many in a number of cases. This latter aspect is important because it helps to quell whisperings about the Ministers and restore public confidence in democracy. The Administrative Reforms Commission had this aspect in view while recommending the institution of the Lokpal. Therefore the Commission observed that the Constitution might be suitably amended to make the Lokpal's supervisory authority over the Minister fit into the framework of the parliamentary government.[16] In principle the power of the Lokpal to investigate the acts of Ministers in itself need not cause any inconsistency with the constitutional principle of ministerial responsibility. Because the Lokpal will not take any action directly against the erring Minister. He will merely make a report to Parliament and it will be for Parliament to ultimately take any action against the Minister. In this sense the Lokpal will perform functions similar to those performed by the Comptroller and Auditor General.[17] However, the wide terms in which the Lokpal Bill defines, the Lokpal's functions makes the Lokpal's authority conflict with the constitutional principle of ministrial responsibility.

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[15] Cellhorn, Supra n. 1 at p. 8.

[16] Interim Report p. 11 (para 18).

The Lokpal will investigate the acts in which the Minister is alleged to have " abused " his position as such to obtain any gain or favour to himself or to any other person or to cause undue harm or hardship to any other person" or to have been "actuated in the discharge of his functions as such public servant by personal interest or imporoper or currupt motives " or was " guilty of corruption, lack of integrity or improper conduct in his capacity as such public servant."[18] The Lokpal will investigate complaints against any action taken by way of decision, recommendation or finding or in any other manner including failure to act.[19] The phrases such as "has abused his position as such to obtain any gain or favour to himself." or "was actuated in the discharge of his functions . . . by personal interest or corrupt motives " or " is guilty of corruption, lack of integrity or improper conduct" are so wide and extensive that acting under them the Lokpal may have to make deep incursions into matters of policy. If the Lokpal is saddled with such onerous and thankless job of acting as the defender of public morality, the utility of that office may be reduced considerably. Neither in New Zealand nor in the U.K. has the Parliamentary Commissioner been given such wide powers. Section 19 of the Parliamentary Commissioner (Ombudsman) Act, 1962 provides that the Commissioner may take action with respect to any decision, recommendation, act or omission if he is satisfied that it (*a*) appears to have been contrary to law ; (*b*) was unreasonable, unjust, oppressive, or improperly discriminatory, or was in accordance with a rule of law or a provision of any enactment or a practice that is or may be unreasonable, unjust, oppresive or improperly discriminatory, or (*c*) was based wholly or partly on a mistake of law or fact ; or (*d*) was wrong ; or (*e*) involved the exercise of a discretionary power for an improper purpose, or on irrelevant grounds, through taking irrelavant considerations into account, or (*f*) where reasons should have been given for the decision. The Whyatt report which for the first time contained a proposal for setting up an Ombudsman for Britain made a distinction between complaints that an administrative act is wrong policy or unwelcome to the complainant and complaints that a decision fails to observe proper standards or is oppressive or is a misuse of power. According to the report, only the second type of complaint should be investigated by the Commissioner.[20] It can be seen from this that in these countries the Ombudsman's authority extends only to acts involving abuse of discretionary power and maladministration. The Indian Ombudsman's functions are too far reaching as compared to its counterparts in the Scandinavian and other commonwealth countries. The definition of his functions is heavily dominated by the guilt aspects of the Minister's or officials acts.[21] This makes his involvement in political controversies inevitable. It will be almost impossible for any one person to satisfy the standards of impartiality which would be defined differently by the contesting parties. There is a danger that he will be crticised either for doing too much or for doing nothing. In reality there is a danger that if the Lokpal's performance does not come up to what the layman has been led to expect from him he will cause disillusionment. Furthermore his involvement in highly political questions which have greater popular appeal will lead to his giving lesser attention to matters involving maladministration which really irk the common man.

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[17] Articles 148 and 151 of the Constitution lay down the powers and functions of the Comptroller and Auditor General. The anology of the Ombudsman and the Comptroller and the Auditor General has been drawn in the following articles See Luis Bloom-Cooper. The case for an Ombudsman in England in Ronald C. Rowat (ed) Supra n. 1 at p. 264-271 Also See J. F. Northey, New Zealand's Parliamentary Commissioner and Geoffrey Marshall, Ombudsman in the U. K. at Pages 126 and 173 respectively in the above mentioned book.

[18] S. 2(b)

[19] S. 2(a)

One can think of two reasons why the Indian model of Ombudsman has been designed with an emphasis on the guilt aspect. Firstly in India there is a feeling that cases of corruption and lack of integrity are more numerous than in Scandinavian and other Commonwealth countries. In those countries, most frequent cause of injustice is maladministration. Maladministration in general means callousness, indifference, negligence or delay on the part of the authorities. It also includes abuse of discretion. Maladministration does not necessarily presuppose malafide on the part of the authorities. Even the most honest official may commit an act of maladministration through over-enthusiastic pursuit of official policy. Here the charge against him is that he did not attach sufficient importance to the consideration of the interest of the citizen who was likely to be affected thereby. The cases involving corruption by Ministers are treated as exceptions. Against the generally high record of integrity of politicians the cases such as

[20] Geoffrey Marshall, supra n. 17 at p. 177.

[21] See P. K. Tripathi, Lokpal: The Proposed Indian Ombudsman, 9 Journal of the Indian Law Institute p. 135, 149 (1967).

Crichel Down or Profumo scandal stard out. But it is generally believed that the political processes can take care of such marginal cases of corruption and lack of integrity. In India incidence of corruption or lack of integrity is believed to be much greater. Moreover unlike in the countries mentioned above, the parliamentary process in India has not attained that high level of maturity so as to shoulder the burden of maintaining high standards of public morality. The overtones of morality found in the Bill therefore may have some justification.

However, howsoever desirable it may be, it will not be possible for any single human being to act as the watch dog of public morality. If the Lokpal is to become successful, the emphasis must shift from " guilt " of the official to " grievance " of the citizen. He will protect the citizen against maladministration. This will be his main function. His incursions into the conduct of the Minister or an official will be in pursuance of this objective. The Bill contains a comprehensive definition of maladministration.[22]

The authority of the Lokpal or a Lokayukta may be restricted to matters of corruption and maladministration in which specific individual interest is involved. He could concentrate on cases of maladministration and abuse of discretion. The wide discretion to give or refuse a licence may be improperly exercised. A licence may be refused because the Minister or the official has personal enemity against the applicant. While refusing a licence, irrelevant factors may be taken into consideration or relevant factors may be ignored. It may be difficult to establish malafide behaviour on the part of the Minister or a government official in a court of law. It may be easier for the Lokpal to lay bare such behaviour through the informal but inquisitorial process. The Lokpal or a Lokayukta should however interfere only in cases of abuse of discretion. He should not re-examine the exercise of discretion on the merits. This restraint must be observed because the Lokpal or a Lokayukta will not possess the expertise which the authority charged with the function of performing that function would possess. However that does not preclude the Lokpal or a Lokayukta from giving advice regarding a matter which in his opinion should have been decided in another manner. His informal advice will doubtless have a salutory effect on administrative determinations. The Lokpal or a Lokayukta will be able to contribute to the improvement of the administrative process by pointing out if the procedures are cumbersome or dilatory. Most cases of corruption relating to grant of licences, permits etc. occur because of the defective procedures and absence of adequate checks. Bribe is given in many cases just to speed up the process of the movement of files and communications relating to decisions. The Santhanam Committee pointed out that " this custom of speed money has become one of the most serious causes of delay and inefficiency."[23]

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[22] Section 2 (g) defines Maladministration as follows : " maladministration " means action taken or purporting to have been taken in the exercise of administrative functions in any case :—

(*a*) Where such action or the administrative procedure or practice governing such action is unreasonable, unjust, oppresive or improperly discriminatory ; or

(*b*) where there has been negligence or undue delay in taking such action or the administrative procedure or practice governing such action involves undue delay.

While the Lokpal or a Lokayukta's jurisdiction has been very broadly defined in respect of the Ministers and officials., the Bill excludes his authority from some important areas.

The jurisdiction of the Lokpal or a Lokayukta will not extend to public servants who are in the service of any local authority in any Union territory or any public corporation established under a Central Act and owned and controlled by the Central Government or any Government company within the meaning of section 617 of the Companies Act, 1956 ; or any society registered under the Societies Registration Act, 1860, which is subject to the control of the Central Government.[24]

The exclusion of the servants of the local government authorities, public corporations etc. from the authority of the Lokpal or a Lokayukta will deprive the Lokpal or a Lokayukta of the most fruitful areas of investigation. Many of the functions of the modern welfare state are carried out by such bodies. Local government authorities run hospitals, milk schemes, distribution of electricity and social welfare agencies. Corruption or maladministration in these institutions can cause a lot of injustice to the common man. The Danish Ombudsman who formerly did not have authority over the persons acting in the service of the local government authorities was given such authority in 1962. Although the New Zealand Ombudsman does not have authority over the employees of the local government bodies, opinion among leading authorities in that country is in favour of giving him such authority. It is submitted that by limiting the Lokpal or a Lokayukta's authority only to government departments, the Bill has put a discount on the Indian Ombudsman's efficacy.

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[23] Report of the Committee on Prevention of Corruption, Govt. of India, Ministry of Home Affairs p. 10 (1964).

[24] Section 8(3)

The Bill further excludes the following matters from the perview of the Lokpal or a Lokayukta : (*i*) an action taken in a manner certified by a Secretary as affecting the relations or dealings between the Government of India and any foreign Government or any international organisation of States or Government ; (*ii*) action taken under the Extradition Act, 1962 or the Foreigners Act, 1946 ; (*iii*) action taken for the purpose of investigating crimes or protecting the security of the State including action taken with respect to passports and travel documents ; (*iv*) action taken in the exercise of powers in relation to determining whether matter shall go to a court or not ; (*v*) action taken in matters which arise out of the terms of a contract governing purely comercial relations of the administration with customers or suppliers, except where the complainant alleges harassment or gross delay in meeting contractual obligations ; (*vi*) action taken in respect of appointment, removal, pay, discipline, superannuation or other matters relating to conditions of service of public servants but not including action relating to claims for pension, gratuity, provident fund or to any claims which arise on retirement, removal or termination of service ; and (*vii*) grant of honour and awards.[25]

It is submitted that these limitations upon the power of the Lokpal or a Lokayukta severely restrict the potentialities of the Indian Ombudsman. It is well known that under the Extradiction Act, the Government enjoys a large amount of discretionary power. While review of the exercise of such discretion on the merits may not be feasible or desirable, there is no reason why examination should not be undertaken with a view to finding whether the discretion has been properly exercised. Similarly it is well known that maximum efforts have to be made to discourage the use of third degree methods by the police and to strengthen the process of criminal investigation. There is no reason why the Lokpal or a Lokayukta should not call a sub-inspector or inspector of police or any other authority and ask him to explain why a particular matter was not being investigated or why it was not investigated properly. Where high ups in political or social circles are involved, a police officer may be pressurised to either drop the investigation or keep loopholes in the evidence with a view to obtaining acquittal. Why should the Lokpal or a Lokayukta not be able to investigate a matter where he comes to know that a criminal investigation is not being pursued to its logical conclusion ? It is here that the Lokpal or a Lokayukta will be able to make contribution towards improvement of the process of crime investigation. The real utility of the Ombudsman is in the admonition which he may give to the erring officials and the suggestons which he makes for eliminating maladministration. He must combine both these elements, and the exclusion of his authority from sphere such as crime investigation will deny him one of the most fruitful areas of work.

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[25] Section 8(1)

The judical authorities come under the supervision of the Ombudsman in Sweden and Findland, but not in Denmark, Norway and New Zealand. The Lokpal will not have authority over the judges of the Supreme Court and the High Courts. It will not be desirable to subject the Justice of the superior courts to the authority of the Lokpal. However there is no reason why the members of the subordinate judiciary should be immune from such control. As they are the employees of the states and not of the Centre, they will not come within the purview of the Lokayukta's authority, unless that authority extends to the officials of the states. The Lokayuktas will have jurisdiction over quasi-judical bodies appointed under the Central Acts. The quasi-judicial authorities are subject to the jurisdiction of the higher courts. Judicial review is restricted to a few grounds such as lack of jurisdiction, error of law apparent on the face of the record or violations of the rules of natural justice. There is seldom an appeal on findings of fact to the higher courts. Judicial review of findings of fact is restricted to cases where there appears to be no evidence at all to support the finding. In many cases administrative findings of fact are unaccompanied by reasons in support of such findings. This makes judicial review difficult. The present trend of administrative law is towards making the giving of reasons by administrative authorities to support their findings obligatory. This may make judicial review more effective. However, the need to review the decisions of administrative tribunals or quasi-judicial bodies on the merits nevertheless exists. Since the courts do not fulfil this need, either the Ombudsman or a council on Tribunals type of body may be desirable. The other alternative is to have an administrative branch of the High Courts and the Supreme Court. This alternative is not acceptable to the Indian lawyers. The juristic opinion in India as that in England favours the retention of control by the ordinary courts over the administration. The Ombudsman tends to combine the merits of both the systems to some extent. It follows the inquisitorial process as is followed by the administrative courts in France and at the same time retains judical control of administrative action which the common law systems follow. It is submitted that in order to save the Lokayukta from being swamped by overwork it will be desirable to have another body like the Council of Tribunals as in England for the purpose of exercising supervision over the quasi-judicial authorities.

III

Constitutional Adjustments

The creation of the office of the Lokpal or a Lokayukta will need various constitutional adjustments. The dangers of the Lokpal having authority to investigate the acts of the Ministers have been noted in the previous section. Besides this there will be some inconsistencies which will have to be removed through suitable constitutional adjustments. A review of some such probable adjustments has been taken here.

(*a*) *Appointment and removal of the Lokpal and the Lokayuktas*

The Lokpal or a lokayukta is appointed by the President after consultation with the Chief Justice of India and the leader of the Opposition in the House of the People, or if there is no such leader, a person elected in this behalf by the Members of the Opposition in that House in such a manner as the Speaker may direct.[26] The Lokayuktas shall be appointed by the President after consultation with the Lokpal[27]. Such consultation will not be required in the case of appointment of the first Lokayukta[28]. Every person entering the office of the Lokpal or a Lokayukta shall take an oath or affirmation set out in the First Schedule.[29] The Lokayukta shall be subject to the administrative control of the Lokpal and the Lokpal may, for the purpose of convenient disposal of investigations, issue such general or special directions as he considers necessary to the Lokayuktas.[30] This however does not authorise the Lokpal to question any finding, conclusion or recommendation of a Lokayukta.[31] The Lokpal or a Lokayukta shall not be a members of Parliament or a member of the Legislature of any state and shall not hold any office of trust or profit (other than his office as the Lokpal or as the case may be, a Lokayukta), or be connected with any political party or carry on any business.[32] Before entering the office of the Lokpal or a Lokayukta he shall, (*a*) if he is a member of Parliament or of the Legislature of a State resign such membership ; (*b*) if he holds any office of trust or profit, resign from such office ; (*c*) if he is connected with any political party, sever his connection with it, or (*d*) if he is carrying on any business, sever his connections (short of divesting himself of ownership) with the conduct and management of such business[33]. Every person appointed as the Lokpal or a Lokayukta shall hold office for a term of five years and shall not be eligible for reappointment[34]. The Lokpal or a Lokayukta may resign his office by writing to the President[35]. He may be removed from office by the President only on the ground of misbehaviour or incapacity[36]. Such removal must be preceded by an inquiry held by a person appointed by the President who is or has been a Judge of the Supreme Court or the Chief Justice of a High Court[37]. The report of such inquiry must be submitted to the President who shall, as soon as may be, cause it to be laid before each House of Parliament.[38] The President shall not remove the Lokpal or a Lokayukta unless an address by each House of Parliament supported by a majority of the total membership of that House and a majority of not less than two thirds of the members of that House present and voting has beeen presented to the President in the same session for such removal.[39] Although the Bill secures to the Lokpal or a Lokayukta the independence as is assured to the judges of the Supreme Court and the High Courts,[40] it cannot be denied that this is not a constitutional guarantee similar to the one given to the judges of the superior courts. The Constitution may be amended for this purpose. The Constitution may be amended to insert provisions regarding the appointment, tenure and removal of the Lokpal in it.

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[26] Section 3(1)(a)

[27] Section 3(1) (b)

[28] Section 3(2)

[29] Section 3(3)

[30] Section 3(4)

[31] *Ibid*

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[32] Section 4

[33] *Ibid*

[34] Section 5(1). The Bill originally provided for reappointment once. It was changed by the Select Committee.

[35] *Ibid* Proviso clause (a).

[36] Section 5(1) (b)

[37] Section 6(1) proviso

[38] Section 6(2)

[39] Section 6(3)

[40] See articles 124(4) 125(2), 217,218.

(b) *Lokpal and the Existing Constitutional Remedies*

There is a misgiving in certain quarters that the authority of the Lokpal tends to supersede the authority of the Parliament and the courts. It is sometimes suggested that an Ombudsman is not necessary where there are adequate judicial and parliamentary remedies. It is submitted that these misgivings are based on certain misconceptions which must first of all be removed. The Lokpal will not supplant the existing parliamentary and judicial processes. It will merely supplement these processes. The Lokpal will act not in supercession of the existing constitutional remedies. It will supplement them by filling in the gaps which the traditional constitutional processes are not able to fill in. He will help Parliament in exercising its control over the Minister more effectively. The remedy of parliamentary process though very useful is more suited for the consideration of matters of public importance than for obtaining redress of individual's grievances arising in the course of day-to-day governmental administration.

The Ombudsman became necessary in Sweden mainly because the courts did not review the acts of the legislature or executive for the purpose of protecting the rights and liberties of the citizen. The Danish constitutional provision for an Ombudsman was made because the existing guarantees were regarded as insufficient in view of the extraordinary expansion of the administration[41]. It may therefore be said that since the Indian Constitution contains adequate remedies through courts for the enforcement of the individual's rights, there is no need for an Ombudsman. It is submitted that the remedies provided under the Constitution cannot be said to be fool-proof. Judicial control though excellent operates sporadically. Sometimes administrative decisions are given finality. In that case the courts do not consider them on the merits. The courts invalidate an action only if the authority has acted ultra vires or in violation of the rules of natural justice or has abused its discretion. Proof of mala fide exercise of power or a discriminatory behaviour on the part of the authority is difficult to discharge in a court of law. Moreover, the courts cannot review the exercise of discretion with a view to finding whether the other alternative ways of exercising it, which would have been either beneficial or less harmful to the private party have been explored by the authority. The court processes moreover are time consuming and expensive. This does not mean that the role of the courts is to be underestimated. However granting the importance of their contribution generally, it is to be observed that there are situations in which courts cannot probe into cases of alleged maladministration or arbitrary behaviour. It is only for such cases that the Ombudsman is contemplated. It does not oust the judicial process. This is clear from the fact that the Lokpal Bill says that ordinarily a matter which can be dealt with through remedies in a court of law or a tribunal should not be investigated by the Lokpal or a Lokayukta[42]. It is only if the Lokpal or a Lokayukta finds that the remedy cannot be availed of by the aggrieved individual, will he entertain such a matter[43]. This clearly demarcates the boundaries of the Lokpal and the ordinary courts. The remedy of Ombudsman is essentially for those matters which cannot be redressed adequately or expeditiously through judicial process. The small man requires a more informal, cheap and speedy machinery for this purpose. Further it is submitted that the existence of parliamentary and judicial remedies far from making the Ombudsman superfluous makes its success more certain. The institution of Ombudsman will never be a substitute for such elementary safeguards as judicial control, internal control and administrative appellate system. It will always be a factor of additional gurantee. The Ombudsman process is meant for a marginal number of cases which remain in the filter after a mass of them are dealth with by parliamentary and judicial processes.

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[41] Cellhorn, Ombudsman and others, supra n. 1 at p. 10.

(c) *Lokpal and the Inter Party Equation*

Professor Tripathi[44] fears that " the enormous weight that could now be thrown in the opposition pan of the parliamentary balance by the report of an independent and prestigious official, (the lokpal) " will upset the equation between the ruling party and the Opposition and tilt the balance heavily against the ruling party. This may ultimately depend upon how the Lokpal conducts himself. His objective and impartial decisions can avoid the tilting of the parliamentary balance either one way or the other. If his actions can throw enormous weight in the pan of the opposition so equally can they strengthen the position of the Minister against whom a whispering campaign is going on. However, in one respect the Bill tilts the balance against the ruling party. It requires the President to appoint the Lokpal in consultation with the Chief Justice of India and the Leader of the Opposition[45]. There is no mention of the Prime Minister. The Administrative Reforms Commission had recommended consultation with the Prime Minister too. This serious omission from the Bill will adversely affect the harmony of the parliamentary process. In parliamentary democracy, where the President acts on the advice of the Ministers, the Prime Minister has an undisputed claim to be consulted in such an important matter. One wonders why the clause requiring the President to consult the Prime Minister was dropped. It could be that consultation with the Prime Minister was taken for granted in view of the convention that the President acts on the advice of the Council of Ministers. However it would be necessary to know whether in making appointments of the Judges the President acts on the advice of the Ministry. If the practice is to the contrary we cannot assume that such consultation is implicit in the appointment of the Lokpal. Unlike the Judges the Lokpal is a man of Parliament. While in the case of the appointment of the Judges consultation with the Prime Minister may or may not take place, in the case of the appointment of the Lokpal such consultation should take place. This is all the more necessary in view of the fact that consultation with the leader of the opposition is required.

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[42] Section 8(1)(b)

[43] *Ibid*

[44] Tripathi, Supra note 21 at p. 144.

IV

Investigation by the Lokpal : Powers and Procedure

The investigational process of the Lokpal or a Lokayukta, resembles closely the process of investigation followed by the Ombudsman in other countries. The Lokpal or a Lokayukta will act only when a complaint is made regarding an action or an allegation is made regarding a person. He will not be able to act on his own as the Swedish Ombudsman does on finding a case of injustice from a newspaper report. The requirement of a formal complaint or allegation doubtless reduces the informality of the Ombudsman's processes. However, the insistence on such a formality can be appreciated in the context of the gossiping nature of the Indian people and a comparatively less developed free press. The power to investigate a matter on his own initiative may however be given to the Lokpal after the formative years of that office pass and when the first incumbent to the office establishes high traditions of that office.

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[45] Section 3(1) Proviso (a).

A complaint may be made to the Lokpal or a Lokayukta (*a*) in the case of a grievance, by the person aggrieved, (*b*) in the case of an allegation, by any person other than a public servant.[46] Where the person aggreived is dead or is unable to act for himself, the complaint may be made by any person who in law represents his estate or by any person who is authorised by him in this behalf.[47]

Any letter written to the Lokpal or a Lokayukta by a person in police custody, or in a goal or in any asylum or other respectable place for insane persons, must be forwarded to the addressee unopened and without delay.[48] The Lokpal or a Lokayukta may in his discretion refuse to investigate any complaint involving a grievance or an allegation, if in his opinion (*a*) the complaint is frivolous or is not made in good faith ; or (*b*) there are not sufficient grounds for investigating or, as the case may be, for continuing the investigation ; or (*c*) other remedies are available to the complainant and in the circumstances of the case it would be more proper for the complaint to avail of such remedies.[49] The Lokpal shall not investigate (*a*) any complaint involving a grievance, if the complaint is made after the expiry of twelve months from the date on which the action complained against becomes known to the complainant ; (*b*) any complaint involving an allegation, if the complaint is made after the expiry of five years from the date on which the action complained against is alleged to have taken place.[50] However, the Lokpal or a Lokayukta may entertain a complaint referred to in clause (*a*) if the complainant satisfies him that he has sufficient cause for not making the complaint within the period specified in that clause.[51] Where the Lokpal decides not to entertain a complaint or to discontinue any investigation in respect of a complaint, he shall record his reasons therefor and communicate the same to the complainant and the public servant concerned.[52] Upon receiving a complaint which he proposes to investigate, the Lokpal shall forward a copy of the complaint along with the grounds thereof to the relevant public authority concerned and give to such authority an opportunity to offer his comments on such complaint or statement.[53] If, after investigation of any action in respect of which a complaint involving grievance has been or can be or could have been made, the Lokpal is satisfied that such action has resulted in injustice to the complainant or any other person, he shall, by a report in writing, recommend to the public servant and the competent authority concerned that such injustice shall be remedied in such manner and within such time as may be specified in the report.[54] The competent authority to whom such a report is sent shall, within a month of the term specified in the report, intimate or cause to be intimated to the Lokpal, the action taken in compliance with the report.[55] If after investigation of any action in respect of which a complaint involving an allegation has been or can be or could have been made, the Lokpal is satisfied that such allegation can be substantiated either wholly or partly, he shall by a report in writing, communicate his findings along with the relevant documents, materials and other evidence to the competent authority.[56] The competent authority shall examine such a report and intimate to the Lokpal within three months of the date of receipt of the report, the action taken or proposed to be taken on the basis of the report[57] If the Lokpal is satisfied with the action taken or proposed to be taken on the recommendations or findings contained in his report he shall close the case but where he is not so satisfied and he considers that the case so deserves, he may make a special report upon the case to the President and may also, at his discretion, inform the complainant concerned.[58] However, no such report shall be made in respect of any action taken in consultation with the Union Public Service Commission.[59]

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[46] Section 9(1)

[47] *Ibia*

[48] Section 9(3)

[49] Section 10(4)

[50] Section 8(4)

[51] *Ibia*

[52] Section 10(5)

[53] Section 10(1)

The Lokpal shall present annually a consolidated report on the performance of his functions under this Act to the President.[60] Where an adverse comment against any person or department or organisation has been made in any annual or special report, such report shall contain the substance of the defence adduced by the person complained against and the comments made by or on behalf of the department or organisation affected.[61] On receipt of a special report from the Lokpal, the President shall cause a copy thereof together with an explanatory memorandum to be laid before each House of Parliament.[62]

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[54] Section 12(1)

[55] Section 12(2)

[56] Section 12(3)

[57] Section 12(4)

[58] Section 12(5)

[59] *Ibid*

[60] Section 12(6)

The procedure for conducting an investigation by the Lokpal shall be such as he considers appropriate in the circumstances of the case.[63] The investigation shall be conducted in private and in particular, the identity of the complainant and of the public servant affected by the investigation shall not be disclosed to the public or the press, whether before, during or after the investigation.[64] This provision has been made with a view to protecting the complaintants from victimisation by the authority complained against. The Bill does not contain any provision for discouraging frivolous complaints. This may be done by requiring the complainant to pay a deposit at the time of lodging a complaint which could be forfeited if the complaint turns out to be frivolous. A small fee may be prescribed for filing a complaint. This may be provided either under the rules which the Central Government will make or under the provisions laying down the procedure of this proceedings which the Lokpal is to lay down.

For the purpose of any investigation under this Act, the Lokpal may require any public servant or any person who in his opinion is able to furnish information or produce documents relevant to the investigation to furnish any such information or produce any such document.[65] For the purpose of any such investigation the Lokpal shall have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters namely : (*a*) summoning and enforcing the attendance of any person and examining him on oath ; (*b*) requiring the discovery and production of any document ; (*c*) receiving evidence on affidavits ; (*d*) requisitioning any public record or copy thereof from any court or office ; (*e*) issuing commissions for the examination of witnesses or documents (*f*) such other matters as may be prescribed.[66] Any proceeding before the Lokpal or a Lokayukta shall be deemed to be a judicial proceeding within the meaning of section 193 of the

[61] Section 12(7)
[62] Section 12 (8)
[63] Section 10(3)
[64] Section 10(2)
[65] Seotion 11(1)
[66] Section 11(2)

Indian Penal Code.[67] Any one who give false evidence or fabricates false evidence for the purpose of a proceeding before the Lokpal or a Lokayukta would therefore be punished according to the Indian Penal Code.

(*b*) *Access to files and documents* :—

If the Lokpal's or a Lokayukta's investigations are to be really fruitful, he must have access to all files and documents which are relevant. Usually the Government can claim the privilege to withhold disclosure of documents which in its opinion are pertaining to the affairs of the State and which if disclosed are likely to harm the public interest.[68] The Lokpal Bill provides that the privilege of the Government to withhold disclosure of documents and information shall not be available where documents and information are required by the Lokpal.[69] The Bill however provides that the Government may claim privilege to withhold disclosure of documents where such disclosure might prejudice the security or defence or international relations of India or might involve the dissclosure of proceedings of the Cabinet of the Union Government.[70] A certificate issued by a Secretary certifying that any document or information cannot be disclosed for the above purpose is binding and conclusive.[71] In New Zealand, this privilege can be claimed against the Ombudsman if the Attorney General certifies that the information sought is likely to prejudice security, foreign relations or the investigation of a crime or that it will expose cabinet deliberations or proceedings that are needed to be kept secret. The Indian Lokpal Bill only limits the use of the privilege to specified cases more or less similar to the cases specified under the law in New Zealand, but it allows a Secretary to certify that such disclosure is not desirable. It is not clear why a certificate from the Minister of the concerned Department or from the Prime Minister is not required. A difficult situation will arise where the Prime Minister and the Secretary differ on the question of certification. It would have been better if the Bill had required either the Prime Minister or at least a Minister to certify that the evidence is contained in a privileged document. Where a document is required in connection with an investigation regarding the action of a Minister, it seems inconceivable that his department secretary who is administratively subject to his authority should decide whether the document be given to the Lokpal or not.

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[67] Section 11(3)

[68] See Section 123 of the Indian Evidence Act.

[69] Section 11(1)

[70] Section 11(5)

[71] *Ibid*

Further, in normal cases, where privilege is claimed before a court, the court has power to inquire whether such document is pertaining to the "affairs of the State."[72] That means, in a limited manner the courts decide whether the privilege claimed under the Evidence Act is legitimate or not. The Lokpal Bill however says that the certificate of the Secretary to the effect that such a document is a privileged document is to be treated as "binding and conclusive." In effect therefore the Lokpal or a Lokayukta may have lesser access to government files and documents than the ordinary courts have.

V

Practical Difficulties in the Successful Operation of Ombudsman in India

The divice of Ombudsman was designed essentially for the small agricultural society like Sweden. In the beginning he was preoccupied with the function of protecting the fundamental liberties of the citizen. In the course of years, there was a shift in his functions. As the democracy became more mature and society more enlightened, chances of direct attack upon the liberties of the citizen diminished. However, with the expansion of State activity, the need to protect the citizen against injustice caused by maladministration became more pressing. The Swedish Ombudsman admirably adapted himself to this changed role and did useful work as the defender of the citizen. While performing his role he doubtless contributed to the improvement of the administration. The countries to which the Ombudsman was imported during this century laid their emphasis on the latter aspects of the Ombudsman's functions. The success of the Ombudsman in Scandinavian countries as well as in New Zealand was because of the three factors. (1) The smallness and homegenity of the population, (2) a good record of integrity of the civil service in general and (3) the prestige and high social standing of the incumbent of the office. India's success with Ombudsman becomes doubtful because of the definite non-existence of the first two of the above factors.

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[72] See State of Punjab *v.* Sadhu Sukhdev Singh AIR 1961 SC 493, Amarchand V. Union of India AIR 1964 SC 1958. See generally P. S. Nirmal, Government Privilege to withhold Documents from Court, 3 Aligarh L. Journal 29-37 (1967).

The mere size of the country and its population will make the functioning of Ombudsman difficult. Moreover the population is more heterogeneous. There are divisions on the basis of religion and language. Even if each state appoints its own Ombudsman, one wonders how far he will succeed. The Ombudsman's chief worth lies in the personal rapport which he is able to establish with the aggrieved citizen. Where a prestigious man like Ombudsman pays personal attention to a complaint it has a salutory effect. In India the vastness of the size alone precludes an effective rapport between the Ombudsman and the Citizen. To make a real impact on administration, there will have to be a number of Ombudsman for each State. This may be economically prohibitive since each Lokayukta is to be of the status of a Judge of the High Court. In case persons of lesser status are appointed to hold the offices of additional Lokayukta they may not enjoy the prestige on which the success of the Lokayukta must depend.

Another factor which makes the prospect of the success of Ombudsman in India doubtful is the magnitude of the problem of corruption and maladministration. The countries in which the Ombudsman has functioned successfully did not have such corruption and maladministration and the Ombudsman was required to deal with a marginal number of cases of maladministration. In India, the corruption is so widespread and maladministration so frequent that one wonders how far the Lokpal or a Lokayukta will be able to improve matters. If like all government departments the Lokayukta suffers from red tape the whole purpose of the scheme would be defeated. One cannot confidently rule out this possibility.[73]

Concluding Remarks

The Lokpal and Lokayuktas Bill is a step in the direction of improving administrative procedure and providing speedy and efficacious remedy to the citizen for the redress of his grievance.

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[73] According to Mr. Justice P. B. Mukharji the colour of the tapein the Lokpal's office may be redder than the normal tape in government offices. See the Critical Problems of the Indian Constitution p. 176 (1967).

While unrealistic and over ambitious estimation of the Lokpal's work must be eschewed, if given a limited and modestly defined role, he may make a significant contribution to the strengthening of vigilence against maladministration and corruption. The Ombudsman may not be a total cure for the disease of corruption and maladministration that has afficted the government and society in general. However, it is to be commended as a possible remedy which may provide a cure without the sacrifice of the democratic way of life. It would be too much to expect that with the setting up of the office of the Lokpal or a Lokayukta, corruption and maladministration will vanish. The process of laying down traditions of healthy public life is long and painful. The appointment of the Lokpal will only be the first small step in that direction.

REVIEWS

A Critique of British Empiricism

By Fraser Cowley

Pub. Macmillan, 42 sh., pp. 207+Index

IT is odd that anyone should claim to write a critique of British Empiricism with a slight discussion of Locke and not a single mention of James Mill, J. S. Mill or Bain. Hume alone is given a good amount of space.

The criticism of Locke is based on the ambiguity of ' sensation ' as both a ' physiological' and an 'experienced occurrence,' and his passing ' freely from one meaning to the other ' (3)*. Cowley says, ' this confusion is entirely natural ' and ' common at the present day,' but one wishes he would have explained it more clearly than saying,

> Central to the confusion are the bodily sensations—pain, cold, heat, hunger . . . . These are felt in, or on, the body in direct experience. They are conscious experiences, i.e. we feel them, and they are bodily experiences, i.e. they are located . . . somewhere between top and toe . . . . The body is an object as well as a subject . . . . The confusion starts when our knowledge of anatomy or physiology is superimposed on our direct bodily experience.(3)

Equally obscure is the distinction between body and organism :

> If one's own body is an organism, one's bodily sensations have to be occurrences in the organism, since they are in one's body. But this is not so : no such occurrences are describable in terms of the organism. . . . Sensations are in the body but not in the organism. (4)

The ' body as self or subject ' and ' as object ' seems to be a distinction vital to Cowley's thesis.

Cowley is concerned with the analysis of experience. ' The principal problem is the nature of the starting-point '. Empiricism starts with ' incorrigible data "—impressions and ideas—and tries to ' construct ' the world of things from them. This is criticised from the standpoint of phenomenological analysis, which ' presupposes the world and our bodily being in it ' (*ix*). Hence, Cowley says flatly, ' There are no such data,' but he will try to see ' why it was thought there were.' (*ix*)

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* The numbers in brackets refer to the pages in the book.

Phenomenological or reflexive analysis makes ' explicit what is implicit in our experience ' (*x*) by giving a ' reflexive description and analysis ' of it and not of any ' objective aspect of the world ' (19). But no ' general account ' can give more than a ' preliminary orientation ' in Phenomenology ; ' the proof of the pudding is in the eating ' (19). Let us, therefore, proceed to taste some of the ingredients of the pudding.

I. ' Sense-experience is experience of things in the world .... We do not construct one object or one world out of correlated data supplied by different senses .... It is not possible not to believe in the visible, tangible, spatio-temporal world ' (19-20). This ' thesis of the world ' is ' not in any ordinary sense a belief,' for it is ' unthinking, unreasoned, and inseparable from our being embodied subjects in the world ' (*ix*). But philosophers *have* doubted this thesis, have tried to think and reason about it, separate it from our experience as embodied subjects and find out the basis of the belief. It is not a belief ' in any ordinary sense ' because it is a postulate of scientific and common-sense discourse, but that does not mean it cannot be philosophically investigated. To investigate *such* beliefs is precisely philosophy's job. Who will not grant that 'any fruitful analysis of sense-experience should start from sense-experience ' (18) ? But it does not follow that ' the attempt to identify pure data, the immediate data of consciousness, is futile and nugatory ', because ' if there were a pure datum. . . we should be conscious of it ' (18). Again, what would be the need for philosophy then ?

In Ch. 15, Cowley successfully shows Ayer's claim that the sense-datum language is only an alternative linguistic expedient to be really based on an assumed Humean premise that ' sense-experiences may be considered independently of things in the world ' and that ' appearances are what is given.' But in challenging this premise, Cowley refers us to his earlier chapters (5 & 6) and reasserts the thesis that ' to see anything is to see it as we see it, as it looks to us ; we could not see things staying in place if they did not look different when seen from different places ' (140). Incidentally, repetitions of earlier assertions is one of the ingredients of Cowley's style of philosophising.

II. Chapters 5 and 6 attempt to prove the thesis of the 'illusion of real appearances'—*i.e.* the Empiricist view that the looks of things are objects or quasi-things (*xi*). The phenomenological thesis is expounded :

> The two sides of the house and the roof I can see from here are not the appearance : they are the parts of the house that are visible from here . . . . To determine the appearance one would have to find it, and where is it ? Not where the house is, not where the eye is, not on the retina, and nowhere in between. But there is an appearance ? Only in a sense analogous to that in which there are mental images. The appearance of the house is simply my seeing the house, how I see the house, the house as I see it, how the house looks to me, the look of the house. There is an appearance in the same sense as there is a look. (38)

Cowley's procedure (and, if this is a representative sample, that of the phenomenologists) is not to develop the thesis systematically by argument and counter-argument, but rather, to add statement to statement, to pile phrase upon phrase, word upon word, and to lay it on thick. The influence of Ryle's style is evident (see, e.g., the first paragraph of Ch. 9). So the case proceeds :

> One may say indifferently that one sees or observes the thing, or the look or appearance of the thing, but the look or appearance of the thing is merely the way the thing looks as one sees it. Looks are not determinable as objects, for they are not objects. (39)

Again, four pages later :

> The appearance of a thing is the look of it, the way it looks to me, the way I see it. . . . To see is to see something from somewhere ; to see it as one sees it is to see it as it looks . . But to regard the look or the appearance as an entity is to make a false hypostasis. The appearance is nowhere. Nor is the image anywhere. (43)

What about the refutation of the Humean premise referred to in the chapter on Ayer (Ch. 15) and said to have been performed in Chapters 5 and 6 ? Well, here it is :

> There is no look, no appearance apart from the way I see the house, the way it looks to me. As I walk round it, the look changes, but the house stays where it is. . . . It is because it stays where it is that the appearance changes as I move,. . . .

> If the appearance were not changing as I move, the house would not be staying where it is. It looks different from different places, but it is by virtue of looking different that it stays the same. (44)

But is not all this just to assume the point at issue, a common-sense assumption? Why can't it be doubted? What is the philosophical warrant for holding it? The answer is that we never see sense-data, we always see in depth— 'the problem is not to know what it is to see in depth—that is the way we do see' (39). 'If I seem to have laboured the point that to see is to see in depth,' he admits, 'my excuse must be that it is frequently forgotten' (41). Phenomenological analysis seems largely a matter (judged from this book) of just reminding philosophers what, according to phenomenologists, they have forgotten.

An objection is considered: 'Isn't the appearance, it may be asked, smaller from here than if you were standing on the grass?' and is answered:

> It is obviously true that things look smaller the further away they are. . . . But things look the way they look, the way we see them. (38)

And, again, with regard to the same question: 'When one says "yes," one is attending rather to the look of the house.'(40). But one may reply, Then one *can* attend to the look of the house, and, if so, why not call it an appearance or sense-datum? The answer: appearances 'are simply the way we see the house'.

It is well known that because of a difficulty which perceptual error presents philosophers have been led to speak of sense-data. But error presents no difficulty to Cowley. He mistakes a man for a wax-work model, and says, 'I see something, but I see it as a wax-work when it is actually a man. There is no difficulty in understanding this.'(160)

Although impressions and ideas play a vital role in Empiricism, and although denying their reality is crucial for Phenomenology, Cowley's critique of Hume on impressions and ideas (Ch. 2) is short and perfunctory. However, at other places (notably in Chs. 4 & 5) he has something to say about them.

III. He holds two views about impressions and images. (*i*) For Hume, they are '"determinate in quality and quantity" . . . not only of a definite colour but of a definite size, and shape'(35).

Cowley argues that 'neither impressions nor ideas as such can be measured at all,' and so 'it is absurd to assert that they are determinate in quantity if the quantity is in principle indeterminable' (13). 'People often talk happily about real and apparent size,' he writes, but they are 'incommensurables' (36). 'Since things look bigger when they are nearer and smaller when they are further away, in a certain sense—perspectively—it is sometimes supposed that the actual height of the appearance . . . can be determined by measurement' (36-7). He proves succesfuslly that 'this is not so'. Similarly one cannot *measure* the apparent inequality of lines in the Muller-Lyer illusion, because measuring requires you to lay a ruler along the thing to be measured, and this cannot be done with an impression or image. But this appears irrelevant, because it is admitted that things *do* 'look bigger when they are nearer and smaller when they are further away' and that one line *does* appear longer than the other, and hence the looks or appearances do have a size (*e.g.*, one may appear twice as long as the other). 'The notion of real or actual or objective size' may be 'incomprehensible without reference to measurement' (36), but does an impression or image have to be *objectively* 'determined by measurement' in order that it might be said to have a size? Even if this argument is not convincing, what about qualities like colour and shape? Is not the impression of the Taj at sunset of a pink colour, and if I imagine the Taj at sunset will not my image be pink? To deny this is to fall back on the thesis that we do not see impressions or have images, but this strategy is ruled out here because the indeterminateness of impressions and images was to be the *evidence* for this very thesis.

(*ii*) However, on the other view that Cowley holds, the image is only 'a consciousness of—, an imaging,' and so 'there is nothing "in" the image but what one actually images' and 'it cannot be examined or scrutinised . . . for there is nothing to scrutinise or examine' (31). If this is so, why was it necessary to argue at length (37) that the size of images and impressions is not determinate because not measurable. If there *are* no impressions or images, naturally they cannot be measured; the argument, however, was meant to show that they are such that they cannot be measured.

The above argument (*III*, *ii*) is partly due to a confusion about image and meaning. While holding that there are no images, Cowley, surprisingly, disagrees with Ryle when the latter says, 'Imagined sights and sounds are not sights and sounds. They are not, therefore, dim sights or faint sounds. They are not private sights or sounds either ' (201). Cowley writes,

> It is quite false that the imagined sights and sounds are not sights and sounds—they are the same sight and sounds I saw and heard. They are not now occurring . . . they are past. But it is them I remember and imagine now, the same ones I then saw and heard. (202)

Ryle says that ' an imagined shriek is not ear-splitting ' ; Cowley says ' it is that very ear-splitting shriek ' which the secretary let out when she saw the mouse and which he then heard, which he now recalls (201). Similarly, ' when I imagine my friend Peter, it is Peter I am imagining, . . . it is Peter himself that I mean ' (198).

Here Cowley is unmindful of a very important but elementary distinction. In imagining, in the sense of ' thinking of ' (which he means), there is an object which I think of or *mean*——Peter himself or that very shriek. They are the *objects* of my thought, but I think of them *by means of* images. There are two shrieks—the actual shriek, which is an impression, and the imaginary one by means of which the actual one, that very one, is recalled. And the imaginary one has the imaginary quality of being ear-splitting. Naturally, I do not actually hear it as ear-splitting, but only so in imagination. An imagined shriek can chill one's spine and make one shudder. The distinction between meaning an object and having its image is admitted, unawares, by Cowley : ' when I have an image of Peter, it is Peter himself that I mean ' (198). Excellent ; this is the exact truth.*

Cowley has grasped the importance of ' meaning ' in his discussions of both Hume and Russell.

For Hume, ' the idea of an object and the idea *as* an object . . . are the same thing : the idea is itself the object '(26). Cowley very perceptively asks ' how we can have an image *of* anything when the image *is* it ', for ' what I imagine has its place in the world ; it is not my image ; . . . my image is *of* it . . . . On his [Hume's] theory, you could not imagine the buildings of Paris, for your present lively ideas . . . would *be* the buildings of Paris ' (27). This demonstrates the important distinction I have mentioned. But Cowley simply falls back on ' the evidence of reflexion ' and concludes that ' the image is not an entity ' and, though he is ' said to be having an image ', ' this is only one way of talking '. If Hume is guilty of ignoring the object of thought, Cowley is guilty of refusing to see the image. (Incidentally, in Ch. 4 Cowley shows up many of Hume's short-comings, but systematic development is lacking. This appears to be a pervading defect of the book. Ch. 10 is a fair, perceptive and well-argued critique of Hume's doctrine of impressions, which proves to be circular for it assumes ' double existence ' (the existence of impressions *and* objects) to prove that objects are constructed out of impressions. Ch. 11 is, again, a valid and cogent criticism of Hume on causation.)

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* There is a further confusion. Cowley says that ' to have a tune running in one's head...is not to imagine any performance, much less to fancy one is hearing it. It is to think of, mean, intend, the tune itsself, the universal ' (204). Surely, this is a category mistake , a universal cannot run in one's head, and one cannot think of, or mean, a tune (which, admittedly, is a universal) without instantiating it either actually or as an image.

Cowley is quite right in pointing out (124-5) that Russell's analysis of Memory ' leaves no room for anything but present occurrences,' and that his view that ' the reference to the past lies in the belief-feeling, not in the content believed ', is false because ' when we now imagine something past, there is only one object-something past ' and ' when we recall something . . . it is that very thing or situation we mean '. But though Russell himself supplies the correct answer, namely, that we have ' to realise the distinction between the image and the event recollected ' when ' the image " means " the past event ', Cowley only asks, rightly, ' How on earth on Russell's theory do we ever make this distinction ? ', and passes on, still holding on to the view that ' the image is not distinguished as an entity from what it is of, for . . . it is not an entity or quasi-object '.

IV. Due to his confusion between image and meaning, Cowley attacks Introspectionism :

> If one is imaging a certain person it could not be any one or anything but that very person one is imaging. Only the view of the image as a mental occurrence, a mental picture or scene on the stage of one's inner theatre which one introspects could have led people to suppose otherwise.(32)

We have seen that one thinks of another person *by means of* an image. Cowley labours the point that ' what one is remembering, thinking of, imagining, does not need to be now any more than it needs to be here,' and that one need not assume that ' the object of consciousness, what one sees or imagines, is *in* consciousness, in the mind, an intra-mental entity.' All this is undoubtedly true when the object of consciousness is a person or thing in the world but it does not therefore mean, as Cowley believes, that ‘ there are no intra-mental entities ; all there is is in the world ’ (33). A page later, however he is less emphatic and begins to waver :

> One need never speak of mental images at all. I suspect that the expression is inherited from introspectionist psychology . . . . The natural way of talking is to say one imagines something or recalls something.(34)

But why should philosophers just accept the natural way of talking at its face value ? Should they not probe further ? In any case Cowley seems to admit that it is not so natural after all :

> But the view that when one ‘ has an image ’ one is contemplating an intra-mental entity is deeply rooted. When one denies this one is often taken to be denying that people have mental images.(34)

He doesn't deny them then ? Far from it :

> One man, for example, will assert emphatically that in doing a calculation he reads the answer off the slide rule in his head. This is not only a legitimate use of the English language ; it is an excellent description. But there is no slide rule in his head . . . . He is imagining the slide rule . . . . and what it would read. This is a perfectly normal way of doing mental calculations. . .(34)

But, he still insists,

> To think in images is not to contemplate or look at intra-mental entities.(34)

Those who distinguish between meaning and image would not wish to claim anything more. To think (of persons or things) *in* images, or by having images, is, of course, not to look at, or attend to, those images, but if the images are there, one can surely, if one wants to, make a special effort to attend to them. Something like this is granted forty pages later :—

> Naturally we are not taking notice of our attitude and feeling most of the time—our attention is devoted to the object. But there is no difficulty in taking notice and being reflexively aware of what we feel.(75)

What are Cowley's grounds for rejecting introspection ? Here they are :—

> People say, for example, ‘ I know the height of the Eiffel Tower ’, or ‘ I am listening to the radio ’ or ‘ I see a man over there ’ or ‘ I remember meeting Tom last week ’. . . Prima

> facie, everyone understands such expressions, knows what they mean, and assumes that they can be true or false . . . Since people do not suppose that any introspective observation is required to verify them, since they are unware of making any such observation, . . . there would seem to be no ground for holding that they do . . . . If they were founded on introspective observation how could people fail to be aware of this? (130).

How do people 'know' that introspective observation is not required? Do they know what psychologists mean by introspection? And, in any case, even if introspecton is not commonly used, the relevant point is, could it not be used for a special purpose? Cowley admits that if you answer the question, 'How do you know you see, hear, think. . . ? ', with 'By seeing' etc, then people 'tend to feel that it is not really an answer at all.' But, says Cowley, 'I think it is essentially the correct answer.'(134) What is required to give this answer is 'reflexion or self-awareness" which 'makes explicit what is implicit' in the 'various ways in which we experience events'.

> When we simply describe what we see, we are not describing this experience, but what is reflexively described is implicit in our seeing . . .If reflexion or self-awareness were not completely commonplace . . .some of the commonest and most familiar expressions of the language would be hard to understand—'I see . . . ', 'I've got it!' . . . 'I seem to remember . . . .' But everyone understands them to all appearances as I understand them, and I understand them because I know what it is to see, to think, . . .to rembember, etc. (132)

'Reflexion is the realisation of one's experience or consciousness of something, of one's attitudes, feelings, emotions, passions' (72-3). And what is 'realisation'? 'To realise one is angry at someone is to become aware that one is tense, itching to clout him, glaring, exploding' (73). And yet it is not introspection! He proceeds :

> It is often spoken of as a consciousness of being conscious, as if the being conscious were an object. But when we are, for example, reflexively aware of seeing something, if we were not effectively seeing something we could not be aware of seeing it. What we see does not cease to be the object, else we would not be seeing. We are aware of seeing just that thing, not nothing in particular.(73)

But introspection does not entail that what we see ceases to be an object. It only claims that, over and above the object seen, we can be conscious of our seeing itself. Cowley himself, talking of the awareness of being angry at someone, says, 'One is aware, not just of him in a certain way, but of the way in which one is aware of him, of one's own attitude and relation to him' (73). We could ask, Does this mean that, in this case, one ceases to be angry at anybody, that we are angry at nobody in particular? If one can be *aware of* one's anger and yet be angry *at* someone, why could not one be *conscious* of one's consciousness and yet be conscious of an object? Again, he writes, 'The reflexive consciousness . .is not a consciousness of a pure, disembodied consciousness, but of an embodied incarnate consciousness', but he is driven to ride this favourite hobby-horse because he thinks—without any warrant—that the belief in introspection 'ignores one's body' (73). He admits Retrospection—'reflexion may be retrospective' (194)—and, while he insists that 'reflexion is not observation', he adds, 'at least not in any ordinary sense' (74). After all this, it is only, I think, sheer cussedness not to admit the word 'introspection'.

V. That 'subjective bodily experience'—seeing, walking, writing—'can never be a matter of knowledge' is supposed to be an important ingredient of phenomenology, for 'knowledge is knowledge of the objective world, experimentally and publicly verifiable' (6-7). The 'only evidence' of any experience is to have the experience. However, the denial of the 'knowledge' of subjetive experience seems only a verbal matter, for though 'we cannot perceive our perceiving' or our desire, 'we know we do perceive' or 'have a strong desire'. All that it comes to is that there is nothing really against the word 'know', provided we remember that 'in this sense of "know", knowing is not . . .based on observation of the patient's symptoms' (70).

Phenomenology rejects the idea of knowing by introspecting what is 'given' to the senses, because nothing is given as a pure datum (149). How do we know that other people feel? 'We do not infer the cause of the expression we see on people's faces'; 'we, as it were, read their expressions', just as 'we do not infer from the words we see or hear what their meaning is' (75). There is a false analogy. Words are not *caused* by their meanings, but only symbolise their meanings, whereas facial expressions are both caused by, and so are a sign of, feelings.* If we took a certain expression to be one of anger and, in fact, the person were not angry, we would be in error, because there was no causal connection such as we inferred. But if we know the meaning of a word, there is nothing to infer. Cowley would try to escape this argument by a behaviouristic theory of feeling, for which feeling is 'bodily'. 'To weep is to be sad . . .We express our feelings . . .in posture, gesture, and face . . .Not to express them is to suppress them' (71). The behaviourist tendency is very strong (e.g., pp. 153-4), but Cowley is not a behaviourist, for the does not hold the view that, for instance, one knows one is angry by observing one's behaviour and symptoms (68). While he applauds behaviourism for not believing in "alleged ghostly happenings' in the mind, he ably shows that a behaviourist could never himself know that he knows anything (130-31). Cowley's anti-behaviourism is natural, for, as he points out, 'introspectionism and behaviourism have in common the assumption that the only knowledge of mind . . .is empirical knowledge, . . .founded on observation of states, events and processes.' (131). In fact, both behaviourism and imagism are the results of psychologism, from which the Empiricists suffered so acutely. This point could have been developed.

I would end by saying that the book is made up of topics loosely held together, usually discussed cursorily instead of being steadily and systematically developed. There is no harm in criticising a philosophy from the standpoint of another philosophy, but merely to keep on reiterating the latter is not to show that the former is mistaken. I believe with Cowley that British Empiricism is mistaken, but there could be a better way of showing this by a careful, detailed, systematic discussion of each of the Empiricists, not forgetting the two Mills and Bain.

S. K. OOKERJEE

* In rejecting sense-data which are introspected as objects, Cowley makes another misleading comparison with language (150-52). He complains that few Empiricists have discussed 'our sense-experience of language' and goes to the length of saying that witty remarks are sounds we hear 'as witty remarks, not bells tolling, or dogs barking: that is the sort of sounds they are', and he seems to think that we hear them as mere sounds only when they are too indistinct to 'hear what the speakers are saying'. Would not a foreigner hear them as mere sound however distinctly he heard them? An affirmative answer to this would, for Cowley, be based on the view that what we 'really, "strictly" speaking, see or hear...is some sort of data, and not what we suppose we see or hear' — 'the unconscious introspection story'. This, he concludes, 'amounts to saying that experience is not really as it is'. It is true that 'when language is functioning effectively it passes unnoticed' and 'the meaning . . . devours the sign'. It may be that 'we do not see the marks and interpret them' or see them 'as such at all'. But language sounds are there to *be* devoured, and even Cowley admits that we notice a particular print if we try to. Sense-data may be similarly diaphanous, but they too are *there* to be devoured by interpretation, and can be noticed, by a special effort, by artists and philosophers.

The Constitution of India: By P. B. Gajendragadkar, Oxford University Press, Nairobi, 1969, pp. 107—Price Rs. 30.

THE Gandhi Memorial Lectures which Dr P. B. Gajendragadkar inaugurated at University College, Nairobi, in the year of the Mahatma's centenary will be an annual feature. The text of the First Series is now before us. Dr. Gajendgadkar's main purpose was to explain to a foreign audience the philosophy and basic postulates of the Indian Constitution. He deals with all the prominent features of this document : the Preamble and the Directive Principles, Funadmental Rights, the Role of the Courts, the controversial problem of constitutional amendment and the purpose of the emergency powers. The volume concludes with a comparative eassy on Kenya and India in which some of the similarities are stressed. The volume begins, as one would naturally expect, with a tribute to Mahatma Gandhi and the universalist elements in his thinking. This is followed by a short account of the making of the Indian Constitution and a still shorter note on " What is a Constitution ? " Dr. Gajendragadkar emphasizes that although a constitution is the fundamental law of the land, it is shaped by the social, economic and political climate in which it is framed. A constitution, he rightly asserts, must be projected into the future and be in harmony with the aspirations of the people. But a Liberal democratic constitution has purposes in many ways different from those found in one-party totalitarian states. It is the essence of liberal constitutionalism that it limits authority laying down clearly limitations on both government and the governed. One wishes that this aspect of constitutionalism had been stressed for the benefit of readers in both countries.

At a time when the viability of the Constitution is questioned by radical political parties in the country, it is good to have the authoritative affirmation of the fundamental law of the Indian Democratic Republic from a former Chief Justice. Dr. Gajendragadkar's view on the socio-economic implications of the Constitution will be read with profit by university students. Needless to say, controversies now rage around many aspects of our constitutional system, like Fundamental Rights and the relationship between the Parliament and the Supreme Court ; constitutional experts and political pundits will continue to have their differences and adopt points of view other than those found in these pages. It is unnecessary, in a brief review, to enter into an ideological Serbonian Bog. The author examines, at some length the position of the Right to Property and explains its position in the Constitution today. In his discussion of the process of amending Fundamental Rights he comes to the conclusion that the framers of the Constitution could not have envisaged them as being " immutable and unchangeable for all time." Stating it in this form is not a denial of the fact that freedom is basic to a Liberal constitution, even if that freedom has to be constantly reviewed in the light of a society's evolving experience. Dr. Gajendragadkar deals briefly with the secularism of the Constitution and emphasizes that Indian secularism is not anti-religion.

In the chapter on Fundamental Rights, Dr. Gajendragadkar criticises John Stuart Mill for saying that " all restraint, *qua* restrain is an evil " and observes that Mill objected to compulsory education as a restriction on the natural right of a parent to decide whether or not, his child should be educated, and if yes, how. Mill's statement on restraints appears in the section on " Applications " in the essay *On Liberty* and it is part of a whole paragraph which, if not considered in its entirety, gives, in my opinion, a totally erroneous view of Mill's position. In the same paragraph he goes on to assert a general principle : " leaving people to themselves is always better, *ceterius paribus*, than controlling them : *but that they may be legitmately controlled for these ends is in principle undeniable.* (italics mine) With regard to education, Mill explicitly states that for a parent not to educate his child is a moral crime against the unfortunate offspring and against society and adds " if the parent does not fulfil this obligation, the State ought to see it fulfilled, at the charge, as far as possible, of the parent." Mill's reservation on free and compulsory education was that it eroded parental responsibility for the education of children.

Dr. Gajendragadkar draws our attention to the liberal elements in the attitude towards development in India and Kenya : " Both countries believe in the philosophy of planning. Economic progress can no longer be left to the rule of the market. The existence of the profit motive cannot be despised and should not be attempted to be eliminated ; but it cannot be undully encouraged either, and so democracy has to find a *via media* allowing both the private and the public sectors to function together not in competition but in cooperation with each other. Neither country subscribes to nationalization as a doctrine. They recognize that the public sector must justify itself by performance and must not claim acceptance solely on the basis of doctrinaire considerations." It is common for book commentators to be perpetually dissatisfied with the price of any book. All the same, the price seems too exorbitant for a volume of a little over a hundred pages. The principles of pricing policy have always appeared something of a mystery to this reviewer.

S. P. Aiyar

The Sema Nagas: by J. H. Hutton (Oxford University Press, Bombay, 1968. Pp. 467. Rs. 40/-)

AMONG the many contributions which Dr. J. H. Hutton, who died recently, made to Indian Anthropology, his ethnographic study of the Sema Nagas can certainly be rated very high. Originally published in 1921, this valuable monograph has now been republished by direction of the Government of Nagaland.

The republication is timely for more than one reason. Anthropologists can add to their collection of useful monographs; students (as in the University of Bombay) need no longer depend on cyclostyled notes; Indian politicians can catch up with background data in order to better evaluate policies and programmes of action intended to resolve the Naga problem; and the Sema Nagas themselves, today largely Christian, will no doubt find considerable help in understanding their present through this excellent record of their past customs.

So far as the anthropologists are concerned, although this study is in the tradition of descriptive enthnography, its fullness of details on habitat and affinities, on origin and migrations, on appearance, dress, weapons and character, on the Sema village and domestic life, on the social life of the tribe, on their religion and ceremonies, their language and folklore, should prove immensely instructive not only to the historical ethnologists but also to the social anthropologists.

It is evident that this book is the result of a devoted and intensive study of a colourful and courageous people.

John V. Ferreira

Syādvādamuktāvalī (Or *Jainaviśeṣatarka*) and *Bhāvasaptatikā*,

by Sri Yaśasvatsāgara. Ed. by Prof. Suresh A. Upadhyaya, Head of the Deptt. of Sanskrit, Post-graduate and Research Instt. Bharatiya Vidya Bhavana, Bombay. First Ed. (1969). Pages 44, Price Rs. 3/-.

THE two books under review have been recently published by Professor S. A. Upadhyaya for the first time. The first has been worked out from a single manuscript and the second from three manuscripts. Prof. Upadhyaya has done the work with methodical thoroughness and great painstaking care, bringing to light these two works of the Jaina writer, whose fifteen works have been known to date. The author of these works was a disciple of Yaśasvatsāgara, and pays to his *guru* glowing tributes. He also mentions Cāritryasāgara and others as *guru*-s and speaks of the debt he owes to them.

In the first of the two works the author has expounded the general outline of the Jaina concept of *Syādvāda*, *Pratyakṣa* and *Anumāna*. He does not attempt any detailed discussion on these topics and it does not seem to be his idea also. The book serves, thus, as an introduction to the Jain philosophy and can be best termed as a Primer. It consists of three " *stabaka* "-s of twentyfive stanzas each, the style being lucid and simple which makes the book easily understandable.

Prof. Upadhyaya has rightly drawn attention to another book of the same author. entitled somewhat similarly as " *Śrī Jaina-Syādvādamuktāvalī*, edited by Muni Sri Buddhisagaraji, published in 1909. This earlier work has also been referred to as " *Syādvādamuktāvalī* " in certain places. Not only this; the said work has been even mentioned as " *Jainaviśeṣatarka* " which is apt to give rise to doubt if the present work and earlier publication are not the same. Prof. Upadhyaya has proved that the works are different, and has suitably quoted readings from the earlier work.

The other work, *Bhāvasaptatikā*, by the same author, comprises of 71 stanzas, and its subject-matter is Astrology. In simple *anuṣṭubh* verses the author deals with such topics as *divasalagna*, *ayanāṁśakaraṇa*, *rātrilagnasādhana*, *natonnatasādhana*, *daśamabhāvasādhana* etc.

It has to be accepted that the two books indicate a sincere effort on the part of the author to introduce the subject summarily for readers who are in want of some manual for such subjects. The fact that the author has written many other books shows that he had a definite plan of work; and this fact gives prominence to the publication of his works so that one can have a complete study of a seasoned writer.

In publishing the two manuscripts Prof. Upadhyaya has done a great service to students who might want to study the author in more detail. He has also given a table of the metres and a bibliography in addition to critical Introductions to both the works which have enhanced their value..

S. A. Dange

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